

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Howard and Phyllis Goserud (adm review) **FILE #** 10-113-094
 2. **APPLICANT:** Howard and Phyllis Goserud **HEARING DATE:** March 18, 2010
 3. **TYPE OF APPLICATION:** Nonconforming Use Permit review of Permit and Conditions
 4. **LOCATION:** 858-860 Albert St N,
 5. **PIN & LEGAL DESCRIPTION:** 272923310020, College Placeeast Division Subj To & With Alley Esmt Desc In Doc 2156315; The Fol; S 10 Ft Of Lot 2 & The N 40 Ft Of Lot 3 Blk 12
 6. **PLANNING DISTRICT:** 11 **PRESENT ZONING:** RT1
 7. **ZONING CODE REFERENCE:** §61.108
 8. **STAFF REPORT DATE:** March 1, 2010 **BY:** Sarah Zorn
 9. **DATE RECEIVED:** February 24, 2010 **60-DAY DEADLINE FOR ACTION:** Not applicable
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- A. **PURPOSE:** Public hearing to consider modification of nonconforming use permit (#09-267755) approved 10/2/09
- B. **PARCEL SIZE:** 50 ft. (Albert) x 215 ft. = 10,750 sq. ft.
- C. **EXISTING LAND USE:** Multifamily dwelling
- D. **SURROUNDING LAND USE:**
North: Single and two-family dwellings (RT1)
East: Single and two-family dwellings (RT1)
South: Single and two-family dwellings (RT1 and R4)
West: Single and two family dwellings (RT1) and one multifamily dwelling (RM1)
- E. **ZONING CODE CITATION:** §61.108 outlines the steps to be taken by the zoning administrator and planning commission when a development covered by a permit is not in compliance with any of the conditions imposed upon such use permit and authorizes the Planning Commission to modify or delete existing conditions which are deemed by the commission to be unnecessary, unreasonable or impossible of compliance.
- F. **HISTORY/DISCUSSION:** On October 2, 2009, the Commission approved a nonconforming use permit for eight dwelling units based upon the findings set forth in Commission Resolution 09-61 which is incorporated herein by reference. The Commission attached three conditions to this approval, one of which required the Applicant to obtain a Certificate of Occupancy ("CofO").

A CofO requires a property inspection by the Department of Safety and Inspection ("DSI"). Based upon DSI's inspection, during which minor violations were found which the Applicant immediately addressed, DSI further determined that the as-built condition of the basement units would only permit approval of a CofO for two dwelling units (the upstairs portion of the subject building) and six rooming units (the downstairs portion of the subject building) rather than the eight dwelling units approved by the Commission unless the Applicant undertook major improvements to the property. The Applicant informed DSI that it did not desire to make the improvements necessary for eight dwelling units.

Based upon the Applicant's decision, the Zoning Administrator, on February 23, 2010, notified the Planning Commission that the Nonconforming Use Permit issued under Zoning File No. 09-267755, could not be eligible for a CofO for eight dwelling units. However, the property, based upon its present as-built configuration, would be eligible for a CofO for a Nonconforming Use permitting two dwelling units and six rooming units. Based upon this information, the City Attorney has advised that this matter be placed back before the Commission so that it may formally amend the previously issued Nonconforming Use Permit to accurately describe the configuration of the inspected and approved residential uses in the Applicant's building as 2 dwelling units and 6 rooming units.

G. **DISTRICT COUNCIL RECOMMENDATION:** The District 11 Council had not commented on these recommended changes as of the date of this report.

H. **FINDINGS:**

1. A nonconforming use permit for eight dwelling units was approved by the Planning Commission on October 2, 2009. This permit was based on the finding that, while City records indicate that the use is a duplex, at some point following the issuance of the 1982 permit to finish the basement, the lower level was divided into six rental units ranging from approximately 120 to 150 square feet in size. According to the applicant the basement rooms were rented starting in 1982.
2. A condition of the permit required the applicant to obtain a C of O for eight dwelling units. During the course of the C of O inspection, DSI determined that the Applicant would be required to reduce the number of units in the lower level in order to comply with dwelling unit size and construction requirements unless the Applicant were to make several changes to the building. DSI determined that the lower level units more closely fit the definition of rooming units and should be classified as such.
3. On 2/23/10 the Zoning Administrator notified the Commission that the number and nature of the units could not be in compliance with the conditions adopted by the Commission as required by §61.108.
4. Under normal circumstances the fire inspector would identify that a change of use had taken place and instruct the applicant to obtain the necessary permits prior to proceeding with the inspection. In this case the property was inspected and minor deficiencies were noted. However, the actual use as determined by the DSI inspectors was not adequately conveyed to the PED zoning section or the Applicant. This in turn led to the pursuit of the wrong permit. The unit configuration that should have been evaluated for the purposes of the nonconforming use permit was two dwelling units on the upper level and six rooming units on the lower level.
5. The finding of the original Commission decision regarding the establishment of legal nonconforming use found in §62.109(a) should therefore be modified as follows:
 - (1) *The use occurs entirely within an existing structure.* This condition is met. All units are contained within the existing structure.
 - (2) *The use or use of similar intensity permitted in the same clause of the zoning code or in a more restrictive zoning district has been existence continuously for a period of at least ten years prior to the date of the application.* This condition is met. The applicant claims that the basement rooms were rented starting in 1982. A record of tenants beginning in 1987 has been supplied; in addition, leases dated as early as August of 1983 have also been provided.
 - (3) *The off-street parking is adequate to serve the use.* This condition is met. The applicant has supplied a site plan showing two spaces for each of the two upstairs units located off of Albert Street. Additionally, there are six parking spaces located off of the alley for the six lower level units.
 - (4) *Hardship would result if the use were discontinued.* This condition appears to be met. A proforma worksheet, detailing the difference in income between the permitted two units and the existing eight, was not submitted as part of the application. However, it is evident from records provided that the annual loss in rent would equal approximately \$32,460. In addition, deconversion to the legal number of units would require lower-level tenants to find alternative housing options.
 - (5) *Rezoning the property would result in "spot" zoning or a zoning inappropriate to surrounding land uses.* This condition is met. A duplex with rooming units is first permitted in the RM1 district. Rezoning to an RM1 designation would be inconsistent with the primarily single and two-family character of surrounding property.
 - (6) *The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This condition is

met. The use has been operating at this location for approximately twenty-seven years and no changes to the use are proposed. Continuation of the use will not change its impact on the character of development in the immediate neighborhood.

- (7) *The use is consistent with the comprehensive plan.* This condition is met. The Comprehensive Plan supports taking care of the city's existing housing stock (4.0), providing a broad range of housing types (4.1), and encourages the production of rental housing (5.3).
- (8) *A notarized petition of two-thirds of the property owners within one hundred (100) feet the property has been submitted stating their support for the use.* This condition is met. The petition was found sufficient on September 9, 2009: 22 parcels eligible; 15 parcels required; 19 parcels signed.

6. Per §65.171 there are two additional standards that must be met for rooming houses.

- (a) *A minimum lot area of five thousand (5,000) square feet plus one thousand (1,000) square feet for each guest room in excess of two (2) guest rooms.* This condition is met. There are six rooming units on the property, requiring a lot area of nine thousand (9,000) square feet; the lot is greater than ten thousand (10,000) square feet.
- (b) *One (1) off-street parking space for every two (2) facility residents.* This condition is met. According to the original application there is a parking area off of the alley that can accommodate six vehicles, as well as parking for the two upper level units off of Albert Street. This satisfies the requirement for the rooming units as well as the two upper level dwelling units.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends clarifying the nonconforming use permit establishing legal nonconforming use status for eight dwelling units at 858-860 N. Albert Street, which was approved as Commission resolution number 09-61, by amending it to provide that the legal nonconforming use is for *two* dwelling units on the upper level and *six* rooming units on the lower level subject to the following conditions:

- 1. The use shall be considered a mixed-use two-family dwelling and rooming house as defined in §65.112 and §65.171 respectively. In accordance with the intent of Chapter 62 of the Zoning Code, any future reduction in the number of dwelling or rooming units shall permanently reduce the legal nonconformity to the new decreased number of dwelling or rooming units. The use shall not change to another nonconforming use except to reduce the number of dwelling or rooming units.
- 2. Lower level units shall not be occupied by, or rented to, more than one individual at any given time.
- 3. The applicant obtain the certificate of occupancy for two dwelling units and six rooming units.

city of saint paul
planning commission resolution
file number 09-61
date October 2, 2009

WHEREAS, Howard and Phyllis Goserud, File # 09-267-755, have applied for an establishment of legal nonconforming use for 8 dwelling units under the provisions of §62.109 of the Saint Paul Legislative Code, on property located at 858-860 Albert St N, Parcel Identification Number (PIN) 272923310020, legally described as COLLEGE PLACE, EAST DIVISION SUBJ TO & WITH ALLEY ESMT DESC IN DOC 2156315; THE FOL; S 10 FT OF LOT 2 & THE N 40 FT OF LOT 3 BLK 12; and

WHEREAS, the Zoning Committee of the Planning Commission, on September 24, 2009, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. At some point following the issuance of the 1982 permit to finish the basement, the lower level was divided into six efficiency units approximately 150 square feet in size. According to the applicant the basement rooms were rented starting in 1982. In 1984 the Zoning Administrator mailed the applicant a zoning violation letter instructing them to deconvert the use to the legal two units. The deconversion was not done, and the applicant is now seeking to establish legal nonconforming use for the eight-unit building.
2. Ramsey County tax records and Saint Paul sanitary sewer records indicate that the building is considered a multifamily dwelling and is taxed as such.
3. Section 62.109(a) of the zoning code provides that the Planning Commission may grant legal nonconforming use status to use of structures if the commission makes eight findings. The findings and the applicant's ability to meet them are as follows:
 - (1) *The use occurs entirely within an existing structure.* This condition is met. All units are contained within the existing structure.
 - (2) *The use or use of similar intensity permitted in the same clause of the zoning code or in a more restrictive zoning district has been existence continuously for a period of at least ten years prior to the date of the application.* This condition is met. The applicant claims that the basement rooms were rented starting in 1982. A record of tenants beginning in 1987 has been supplied; in addition, leases dated as early as August of 1983 have also been provided.
 - (3) *The off-street parking is adequate to serve the use.* This condition is met. The applicant has supplied a site plan showing two spaces for each of the two upstairs units located off of Albert Street. Additionally, there are six parking spaces located off of the alley for the six lower level units.

moved by Morton
seconded by _____
in favor 13
against 2 (Nelson, Spaulding)

- (4) *Hardship would result if the use were discontinued.* This condition appears to be met. A proforma worksheet, detailing the difference in income between the permitted two units and the existing eight, was not submitted as part of the application. However, it is evident from records provided that the annual loss in rent would equal approximately \$32,460. In addition, deconversion to the legal number of units would require lower-level tenants to find alternative housing options.
- (5) *Rezoning the property would result in "spot" zoning or a zoning inappropriate to surrounding land uses.* This condition is met. Multiple family dwellings are first permitted in the RM1 district. Rezoning to an RM1 designation would be inconsistent with the primarily single and two-family character of surrounding property.
- (6) *The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This condition is met. The use has been operating at this location for approximately twenty-seven years and no changes to the use are proposed. Continuation of the use will not change its impact on the character of development in the immediate neighborhood.
- (7) *The use is consistent with the comprehensive plan.* This condition is met. The Comprehensive Plan supports taking care of the city's existing housing stock (4.0), providing a broad range of housing types (4.1), and encourages the production of rental housing (5.3).
- (8) *A notarized petition of two-thirds of the property owners within one hundred (100) feet the property has been submitted stating their support for the use.* This condition is met. The petition was found sufficient on September 9, 2009: 22 parcels eligible; 15 parcels required; 19 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Howard and Phyllis Goserud for an establishment of legal nonconforming use for 8 dwelling units at 858-860 Albert St N is hereby approved subject to the following conditions:

- 1 The use shall be considered a multiple-family dwelling as defined in §65.116 and limited to eight (8) units. In accordance with the intent of Chapter 62 of the Zoning Code, any future reduction in the number of units shall permanently reduce the legal nonconformity to the new decreased number of units. The use shall not change to another nonconforming use except to reduce the number of dwelling units while meeting the applicable definition in §65.113, §65.114, or §65.116. Proposed nonconforming uses other than those defined in §65.113, §65.114 and §65.116 shall be brought to the Planning Commission for a new nonconforming use permit.
- 2. Lower level units shall not be occupied by, or rented to, more than one individual at any given time.
- 3. The applicant shall obtain a Certificate of occupancy for 8 dwelling units.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Date: February 23, 2010

To: Kathi Donnelly-Cohen, Chair
Saint Paul Planning Commission

From: Wendy Lane, Zoning Administrator
Department of Safety and Inspections

Re: 858-860 N. Albert St.
File # 09-267-755

The Planning Commission granted an Establishment of Legal Nonconforming Use to Howard and Phyllis Goserud for use of the referenced property as eight dwelling units on October 2, 2009. The conditions of approval on the resolution were:

1. The use shall be considered a multiple-family dwelling as defined in §65.116 and limited to eight (8) units. In accordance with the intent of Chapter 62 of the Zoning Code, any future reduction in the number of units shall permanently reduce the legal nonconformity to the new decreased number of units. The use shall not change to another nonconforming use except to reduce the number of dwelling units while meeting the applicable definition in §65.113, §65.114, or §65.116. Proposed nonconforming uses other than those defined in §65.113, §65.114 and §65.116 shall be brought to the Planning Commission for a new nonconforming use permit.
2. Lower level units shall not be occupied by, or rented to, more than one individual at any given time.
3. The applicant shall obtain a Certificate of occupancy for 8 dwelling units.

The property has been inspected by the Fire Inspector for Certificate of Occupancy purposes and the Building Official for the change of occupancy. Both concluded that the use of this property is not eight dwelling units but two dwelling units on the upper level and six rooming units on the lower level. Although the Goserud's application said the use of the building was eight dwelling units, it was determined that the basement units do not meet the minimum state building code size requirement to be classified as dwelling units but they do meet the minimum requirement for rooming units.

The use of the property does not meet Conditions #1 and #3 of the Planning Commission's Resolution. The use is not a multiple-family dwelling as defined in §65.116 but it is a roominghouse as defined in §65.171. According to §61.108 of the zoning code, I am

notifying you that this property is not in compliance with the conditions imposed.
Consequently, per §61.108:

The commission may, at a public hearing, following notice to the owner of subject property and other adjacent property owners as specified in section 61.303(c), and upon determination that the conditions imposed by such approval are not being complied with, revoke the authorization for such approval and require that such use be discontinued. The commission, in lieu of revoking the permission, may impose additional conditions, modify existing conditions, or delete conditions which are deemed by the commission to be unnecessary, unreasonable or impossible of compliance.

Please schedule the public hearing for consideration of changes to the resolution to reflect the actual use of this property as two dwelling units and six rooming units at the earliest available date. Thank you for your attention to this matter.

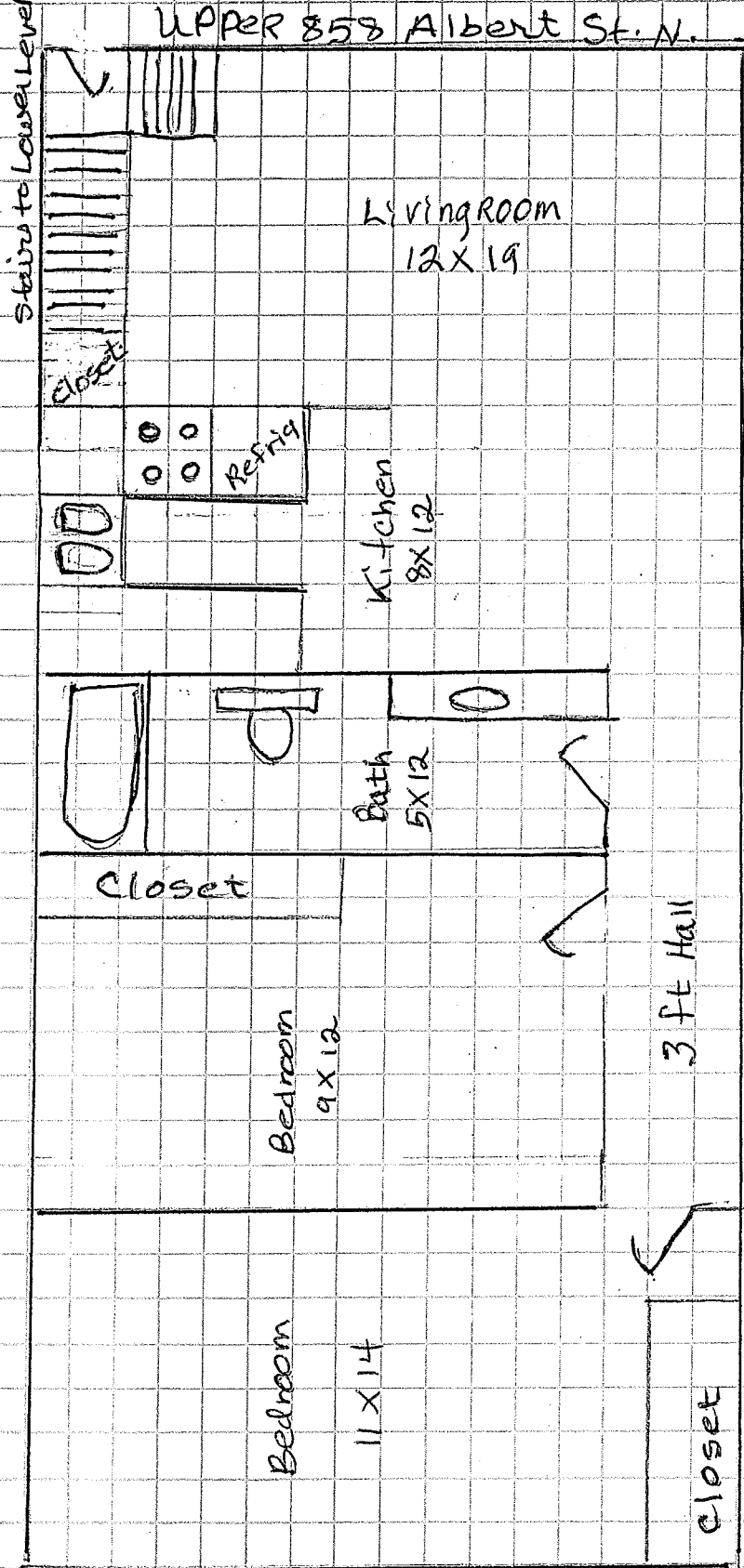
Plan of upper units @ 858-860 Albert

ALBERT ST (Not to Scale)

Furnas

UPPER 858 Albert St. N.

Upper 860 Albert St. N.



Identical
to
858 side

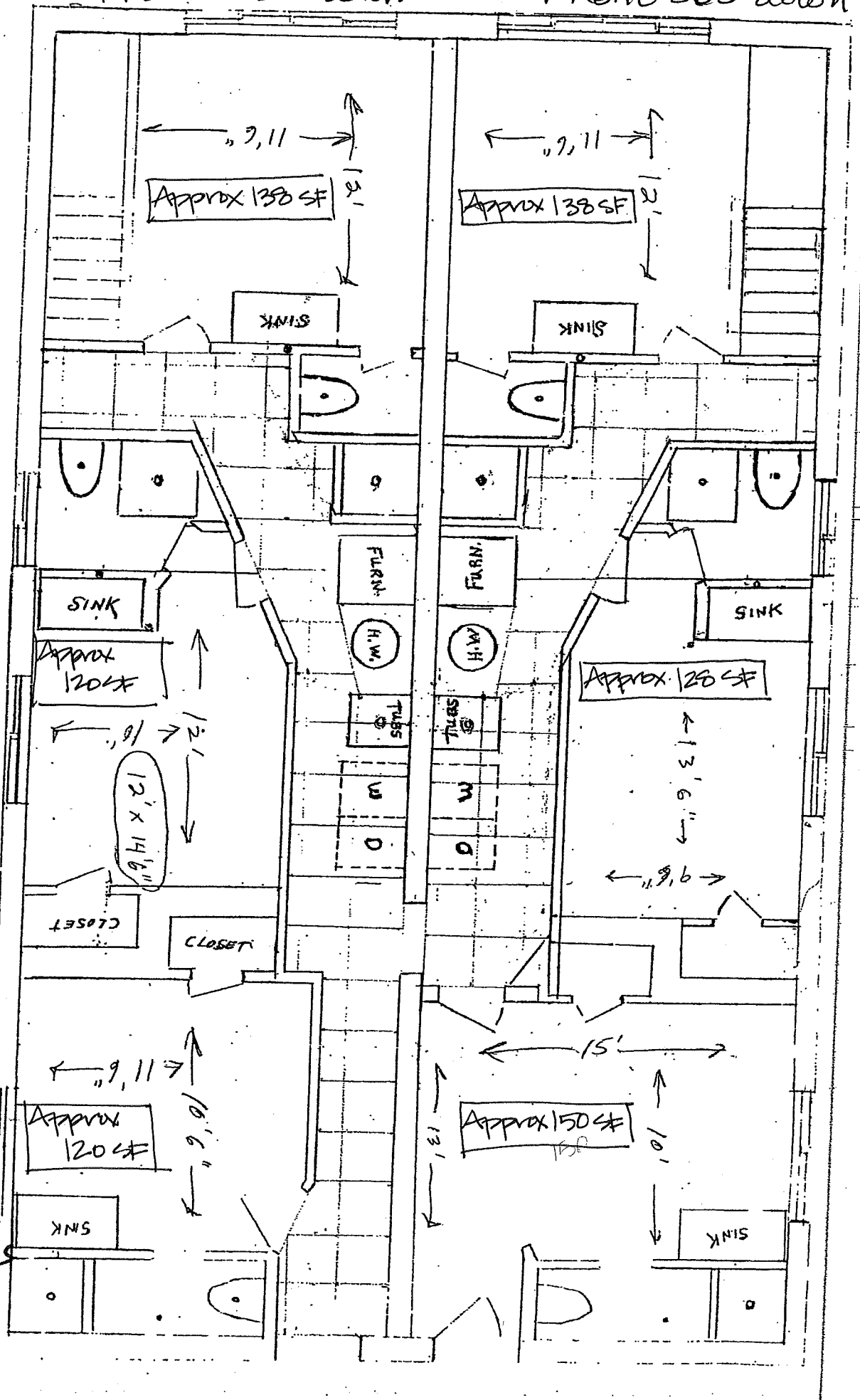
Approx 1446 SF

- L.R.: 12x19
- Kitchen: 8x12
- Bath: 5x12
- Bedroom: 9x12
- Bedroom: 11x14

Together, we make the difference.

Front - 858 - down

Front - 860 down



858-860
N. Albert

(1982)
Plan of
Lower level
showing 6
small efficiency
given to City
of St. Paul

Rear



858-860 Albert Street





Storage building



Pole building

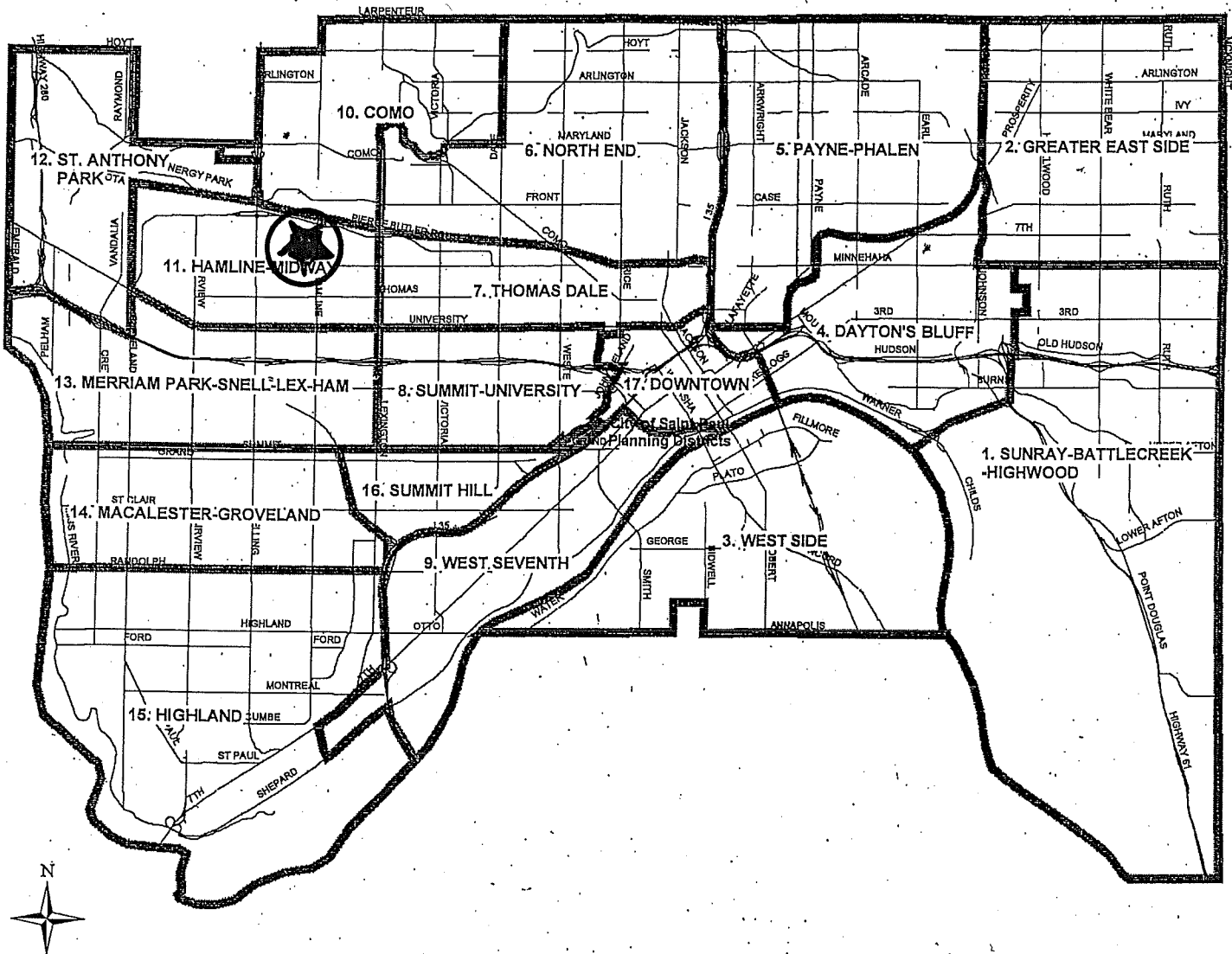


Interior hallways



Efficiency unit in lower level

CITIZEN PARTICIPATION DISTRICTS



CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

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10-113094

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Audrey Matson **FILE #** 10-110-727
 2. **APPLICANT:** Audrey Matson **HEARING DATE:** March 18, 2010
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1769 Selby Ave, between Fariview and Wheeler
 5. **PIN & LEGAL DESCRIPTION:** 042823120153, Skidmore Cassedyspark Addi Ex Ave Lot 26 Blk 3
 6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** B2
 7. **ZONING CODE REFERENCE:** § 65.518; § 61.501; § 61.502
 8. **STAFF REPORT DATE:** March 11, 2010 **BY:** Anton Jerve
 9. **DATE RECEIVED:** February 19, 2010 **60-DAY DEADLINE FOR ACTION:** April 20, 2010
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- A. **PURPOSE:** Conditional Use Permit for garden center with modification of lot area
- B. **PARCEL SIZE:** 4366 sq. ft. with 40 ft. of frontage (40' x 109.15').
- C. **EXISTING LAND USE:** C-Retail
- D. **SURROUNDING LAND USE:**
 - North: Residential uses (RT1)
 - East: Residential and business uses (B2, RT1)
 - South: Residential uses (RM2)
 - West: Office and residential uses (B2)
- E. **ZONING CODE CITATION:** § 65.518 lists conditions for outdoor garden centers; § 61.501 lists general conditions that must be met by all conditional uses; § 61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** There is no zoning history for this property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council had not submitted comments by the time this report was written.
- H. **FINDINGS:**
 1. The applicant is seeking a conditional use permit for the seasonal display and sales of plants in support of the primary retail use, which will sell supplies for small-scale kitchen gardens.
 2. § 65.518 lists three conditions that outdoor garden centers in the B2 district must satisfy:
 - (1) *The use is accessory to a principal use permitted in the district.* This condition is met. The seasonal outdoor sales would be an accessory use to the principal retail use on the site.
 - (2) *The zoning lot on which it is located is at least twenty thousand (20,000) square feet in area.* This condition is not met. The zoning lot is four thousand three hundred sixty-six (4,366) square feet in area. The applicant has applied for a modification of this requirement.
 - (3) *The use shall be located at the end or rear of the building.* This condition is met. The outdoor plant sales use will be located in the rear of the lot, behind the principal building in a fenced area.
 3. § 61.501 lists five standards that all conditional uses must satisfy:
 - (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The use meets the development goals and principles from following plans:
 - Selby Snelling Plan*
 - Attract businesses that serve local residents
 - Maintain the mix of residential and commercial zoning and land use along Selby and Snelling avenues

Merriam Park Community Plan

- Encourage new mixed-use development along transit routes and on underused or inappropriately developed sites, particularly along University Ave., in the Iris Park neighborhood, and at the intersections of Cleveland and Marshall, Fairview and Selby, and Snelling and Selby

(2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The use of the property replaces a general retail use so the traffic congestion is not expected to substantially change. The property has an easement with the western adjacent property to allow for off-street deliveries. Deliveries will occur during normal business hours, 10:00am – 6:00pm Tuesday through Saturday and 12:00pm – 5:00pm Sunday. Sales of plants will take place indoors and carts will be provided to customers to bring larger plants to cars.

(3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The use will not be detrimental to the existing character of the neighborhood. The use will support the health and general welfare of the area by providing a resource for home gardeners in the immediate neighborhood, thus increasing access to fresh produce.

(4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is filling a retail vacancy, thus improving the vitality of the area and is consistent with the general retail uses that have previously held that location.

(5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to the required conditions set forth in Chapter 66 of the Saint Paul Zoning Code.

4. The planning commission may approve modifications of special conditions when specific criteria of § 61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.* This finding is met. The use, Egg|Plant Urban Farm Supply, will sell supplies to support small-scale kitchen gardens. This use, general retail, is allowed under current zoning. The emphasis of the business is supplying a small number of targeted products to support edible gardening in the City. Including the outdoor sales area, the entire retail space is 3,300 square feet. Not having outdoor sales would limit the business's ability to sell live plants and would restrict potential sales during the months outdoor sales would take place, April through October. Because the outdoor sales area is 2,000 square feet and the interior sales area is 1,300 square feet, not allowing outdoor sales would restrict sales volume and would likely have a substantial effect on the profitability of the business. The outdoor sales will be screened with fencing to support reasonable enjoyment of adjacent properties. Traffic impacts are not expected to be substantially different from previous retail uses on the property.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Conditional Use permit for garden center with modification of lot area subject to the condition that items for sale in the outdoor area are limited to plants, containers, bagged mulch and soil, and garden decor that support small-scale urban gardening.

**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Zoning office use only

File # 10-110 727Fee: 750.00

Tentative Hearing Date:

3-18-10

PD=13

#

042823120153

APPLICANTName Audrey MatsonAddress 1654 Englewood AveCity St Paul St. MN Zip 55104 Daytime Phone 612 600 2590Name of Owner (if different) Taylor BurrContact Person (if different) _____ Phone 651 274 1212**PROPERTY
LOCATION**Address / Location 1769/1771 Selby Ave.Legal Description Lot 26, Block 3, Skidmore and Cassidys ParkCurrent Zoning B2

(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of

Chapter 65, Section 518, Paragraph — of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

CK 1005
750⁰⁰☒ Required site plan is attached

Applicant's Signature

Aly S. MatsonDate 2/19/10

City Agent

pdd
2-19-10

St Paul Planning Commission
Zoning Office
1400 City Hall Annex
25 West Fourth Street
St Paul MN 55104

February 23, 2010

To the members of the Zoning Committee, City of St. Paul,

We plan to open a retail store at 1771 Selby Avenue in St Paul, Egg|Plant Urban Farm Supply Co., and are applying for a conditional use permit for outdoor display of plants on the location. Plants will be sold seasonally, and will not be grown on the site. The site is zoned B2 by the city of St Paul and has been in use for retail sales for many years. The following standards and conditions apply:

Standards and conditions for Garden Center, outdoor (Sec.65.518) in B2-B3 business districts:

(b) The use is accessory to a principal use permitted in the district. The principal use is retail sales of gardening supplies, and the seasonal outdoor display of plants is accessory to that use. Sales transactions will take place in the indoor area of the retail store.

(c) The zoning lot on which it is located is at least twenty thousand (20,000) square feet in area. The zoning lot is 4366 square feet, and we request a modification of this requirement. See below.

(d) The use shall be located at the end or rear of the building. The outdoor display of plants will take place seasonally in a fenced lot which is at the rear of the property.

Sec. 61.502. Modify special conditions. We believe that a modification of condition (c) is warranted in this case. Sec 61.502 states that the planning commission may modify special conditions if strict application of such conditions would “*unreasonably limit or prevent otherwise lawful use of a piece of property*” and would “*result in exceptional undue hardship to the owner.*” Egg|Plant Urban Farm Supply is a small start-up company with a focus on providing plants and gardening supplies to people who wish to grow their own food in urban city lots. Emphasis is on small-scale kitchen gardens and organic and eco-friendly growing methods. Egg|Plant Supply will not be selling large scale playground equipment or lawn furniture, or bulk materials. The 1600 square feet of outdoor retail display space will be sufficient for the amount of plants (vegetables, herbs, berries and small fruit trees, etc) that the store will offer. The outdoor display of plants in this enclosed back area is consistent with the otherwise lawful use of the property for retail sales. Sales transactions will take place inside the building. The outdoor area will be fenced for aesthetics and security, accessed through the main indoor sales area, with gated access to the adjacent parking lot. Display fixtures will be attractive wood or metal. Access to the back area for deliveries is available via a 20 ft wide easement into the adjacent parking lot. Deliveries will occur during business hours. Business hours of the store will be 10-6 Tuesday through Saturday and 12-5 Sunday. Outdoor sales will take place during the months of April through October. We believe this use “*is consistent*

with health, morals and general welfare of the community...and the reasonable enjoyment of adjacent property."

In addition, we address the following:

Sec. 61.501. Conditional Use Permit, general standards.

- (a) The extent, location and intensity of the use will be in substantial compliance with the St Paul Comprehensive Plan and any applicable subarea plans which have been approved by the city council. We believe that Egg|Plant Urban Farm Supply Co. is in compliance with these plans.*
- (b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* There are two off-street parking spots provided for the store location. Adequate street parking is available for customer parking. Entrance to the back outdoor sales area will be primarily through the front door, accessible from the sidewalk. Customers shopping the outdoor sales area will enter through a door that opens to the back outdoor area. The gated entrance to the outdoor sales area will be used only for delivery and customer loading of larger items. The adjacent paved parking lot has an allowed easement measuring 20 by 40 feet which will be adequate for the delivery of most products away from the public street. The ingress to the parking lot from the street is 30 feet wide.
- (c) The use will not be detrimental to the existing character of the development of the immediate neighborhood or endanger the public health, safety and general welfare.* The immediate neighborhood includes both residential and commercial space. The space at 1771 Selby has been in use as retail space for many years. The use of the back area for outdoor sales display will not substantially change this use.
- (d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This use will not impede development or improvement of the surrounding properties.
- (e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* We believe this use does conform to other applicable regulations of the district.

Sincerely,

Audrey Matson and Robert Lies
Owners
Egg|Plant Urban Farm Supply Co.

Conditional Use Permit Application for Outdoor Sales
~~Application for Zoning Variance~~
1769/1771 Selby Ave, St Paul, MN
February 2010

EGG|PLANT URBAN FARM SUPPLY CO.
Business Plan Excerpts: Executive Summary,
Products/Vendors, Operations Plan

Executive Summary

Egg|Plant Urban Farm Supply Co. is a start-up company that will operate a retail store selling plants and supplies for backyard food production in an urban setting. Egg|Plant Urban Farm Supply Co. was incorporated and registered with the state of Minnesota on January 22, 2010. The store will operate at 1771 Selby Avenue St. Paul, Minnesota.

The owners are Audrey Matson and her husband Robert Lies. Audrey will be the primary operator of the business, bringing her business experience as a garden center manager, her education in sustainable agriculture, and her long-term personal involvement in farming and community to bear in her new role as operator of Egg|Plant Urban Farm Supply. Bob will continue his job as a technical writer for MTS Systems Corporation, contributing his knowledge of computer data systems and website design and management to the company.

Audrey was most recently employed as manager of Hermes Garden Center in St Paul. As manager she has been responsible for all aspects of garden center operations, including ordering and inventory management, merchandising, staff hiring and supervision. She has extensive experience in sourcing products, and her relationships with local vendors will serve her well as she takes on ownership of her own store. Under her management Hermes saw an overall increase in sales, and her work in the area of edible gardening paid off with a doubling of sales in that category.

Audrey will complete a Master of Agriculture in Horticulture degree at the University of Minnesota in 2010, with an emphasis on garden center management and sustainable growing methods. She is also a Minnesota Nursery and Landscape Association Certified Professional, receiving her certification in garden center management in 2009. She is involved with community gardens and urban chicken-keeping groups in her neighborhood in St. Paul and is the leader of an urban 4H group. This combination of professional education and personal experience make her uniquely suited to be successful as the owner/operator of Egg|Plant Urban Farm Supply.

Egg|Plant Urban Farm Supply will be a combination garden center, hardware store, bookstore and gift shop with an emphasis on products for backyard food gardening and urban homesteading. Products to be sold include seeds, edible plants (vegetables, herbs, fruits, berries, fruit trees) as well as growing supplies, fertilizers, garden remedies, soils, canning and preserving equipment, and backyard chicken and beekeeping supplies. Although the primary focus of the store is on food gardening, it will also offer a wide array of general interest gardening products such as tools and garden supplies, as well as books and gifts that will appeal to gardeners of all interests.

Eggplant Supply's marketing plan is to appeal to a burgeoning interest in urban farming and backyard food production by city residents across the country. This interest includes establishing vegetable and herb gardens, small backyard orchards, urban chicken-keeping and beekeeping, as well as canning and preserving the backyard harvest. The establishment of a food garden on the South lawn of the White House in 2009, personally overseen by First Lady Michelle Obama, was the most obvious manifestation of the trend.

2009 is also the year "locavore" entered the national lexicon, referring to people who try to eat only locally grown produce and food. The Twin Cities market has seen an increase in the number of restaurants that serve locally sourced foods, as well as some delis and food shops. By all accounts, interest in locally grown food is outpacing interest in organic food. Although Egg|Plant Urban Farm Supply will have an emphasis on organic and sustainable growing methods, it will also appeal to this interest in local food. "Local is the new organic" and it doesn't get any more local than your own backyard.

Nursery Retailer magazine reported in their Jan/Feb 2010 issue that overall garden center sales were up in 2009, even in a recession economy. Furthermore, the area of edible gardening, vegetable, herbs, fruit trees, seeds, has seen dramatic growth. A recent survey by the National Gardening Association showed a 19% increase in urban edible gardens over the last year. Hermes Garden Center, where Audrey worked as garden center manager, saw a doubling of sales in these areas.

GreenProfit magazine, a trade magazine for the gardening retailer, reported that seed company sales were up 30 to 50%, and companies such as Jarden Home Brands, which sells Ball canning supplies, reported a 40% increase in sales. This trend is particularly strong in younger Gen X and Gen Y customers between the ages of 20 to 40, who do not have as much inclination toward traditional gardening and landscaping as their parents. Egg|Plant Supply aims to draw on this trend, and provide supplies, services and inspiration for this growing market.

In early 2010, Rodale Press announced that business is good at Organic Gardening magazine. Ad pages are up 17 percent compared to last year.

Subscriptions have increased as well, pushing the rate base — the number of readers the publisher guarantees advertisers — from 260,000 to 270,000.

"Interest in both organics and gardening is growing at staggering rates, and consumers seek products and companies who help them on the path to live a more natural lifestyle," said publisher Mary Murcko. In contrast to the "self-sufficiency" and "back to the land" movements of the 1970s, this new movement has an emphasis on small-space, backyard food production that can be done in back yards and front yards, patios and decks, in urban and suburban areas as well as the country.

Egg|Plant Supply will offer information and education in the form of books, brochures, videos and classes to educate its customers in how to be successful in their efforts. Its focus will be on sustainable and organic growing methods in its choice of products, its customer support, and store operations. The store will offer plastic pot recycling which will also result in return business. This popular recycling program is offered free of charge by one of Egg|Plant Supply's vendors. This emphasis on education, support and environmental responsibility will position Egg|Plant Supply to become the garden retailer of choice for a wide variety of gardeners in St Paul and the surrounding community.

Products

--**Vegetables, herbs, vines, edible flower plants** in season. Focus on organic and/or sustainably grown plants, heirloom varieties, plants suitable for small space kitchen gardens

--**Nursery stock:** Trees: apple, pear, plum, cherry, nut trees. Shrubs: raspberry, blueberry, elderberry, currant, gooseberry, hazelnut. Herbaceous perennials: rhubarb, asparagus, herbs. Vines: grapes, hops, kiwi

--**Seeds and growing supplies:** seeds, seed starting supplies, grow lights organic soils, and mulches, organic pesticides, watering systems, rain barrels, potting soil, self-watering containers, fertilizers, composting materials including vermicomposting, basic tools, beneficial insects

--**Season extension:** row covers, hoop houses, cold frames, small greenhouses

--**Food preservation:** canning supplies, dehydrators, cookbooks

--**Chicken feed** and supplies, hen houses, coops

--**Beekeeping** info and supplies

--Supplies for backyard **maple tapping**

--**Books** on kitchen gardens, urban agriculture, northern gardening, edible garden design, organic gardening, cookbooks, permaculture

--**Gift or boutique items** that appeal to an interest in urban farming, sustainability, nostalgia for farming/food production in the past such as Victory Garden memorabilia, Farmboy and Farmgirl clothing and accessories (local company) MaryJanesFarm books and merchandise, urban farming cards and posters, Garden Girl TV/Patti Moreno merchandise, high-end useful items such as glass cloches/bell jars, organic cotton/hemp garden aprons (Pallina), Felco pruners

--**Egg|Plant Urban Farm Supply merchandise** t-shirts and reusable bags with Egg|Plant Urban Farm Supply logo, sayings such as "Eat Your Yard", "Beautiful Edible Sustainable" "Backyard Locavore."

Future Products

Could include full line of tools, planting containers, decorative pots, more kitchen supplies, beer and wine-making supplies, cheese-making supplies, kid's gardening products, pet food and supplies.

Vendors

Seeds: Seed Savers Exchange, Renee's Garden, Hort Couture, Baker Creek Seeds

Plants: Rice Creek Gardens, Bailey Nursery, Green Growers, Hybel's, Wagners for Culinary Couture

Soils and soil amendments: Foxfarm, Organic Mechanic, Creekside (local)

Fertilizers and Pesticides: Espoma, Foxfarm, Safer

Hard Goods: Fosters (large distributor of many garden center products/vendors, Verde (rain barrels) Western Imports (cast iron trellis, large rooster)

Books: Storey Publishing/Workman Books, Timber Press, Rodale Press

Gift items: Farmboy/Farmgirl clothing, MaryJane's Farm, GardenGirlTV stuff, Mary Lake-Johnson

Chicken supplies: Homestead poultry feed (Mankato), Hy View Organic Feed (SE MN) Murray McMurray Hatchery (Iowa) Miller Manufacturing (Eagan MN)

Canning/Preserving: Freshgirl's Guide to Canning (local author) Jarden Home Brands (Ball canning supplies)

Operations Plan

Egg|Plant Urban Farm Supply Co. will be located in a free-standing property at 1771 Selby Avenue in St Paul. Selby Avenue is an east-west thoroughfare for residents of all areas of St Paul, with this section of Selby located just blocks from Snelling Avenue and Grand Avenue, two of the major commercial and retail streets in the western part of St Paul. The corner of Selby and Fairview, a block to the west is home to several antique shops, a popular restaurant/bar, and a floor refinishing store. The corner of Selby and Snelling several blocks to the east is home to Patina, an upscale popular gift shop, Starbucks, boutique clothing stores and restaurants. The stretch of Selby Avenue between Snelling and Fairview is a mix of residential and commercial buildings, with a neighborhood feel. The location is just south of Interstate Highway 94, which provides easy access from other areas of the Twin Cities. It is on a frequently running Metro Transit bus line.

The building has 1300 square feet in indoor selling space and 2000 square feet of outdoor plant/nursery area. The outdoor space will be fenced for both aesthetics and security purposes.

The area in which the store is located is zoned B2 by the city of St Paul, which allows mixed residential and commercial use, local business use, and community business use. Egg|Plant Urban Farm Supply retail business use is allowed in this zoning category. The building at 1769/1771 Selby has been used for mixed retail use for many years. A conditional use permit will be required for the outdoor sale of plants. This application has been made to the City of St Paul Zoning Office.

The exterior of the building is a mixture of cream stucco and brown barn siding with white and cream trim. The front of the store will have a green awning with logo in white. Front door will be red/orange. Large wood or aluminum planters at front entrance will be planted with ornamental edibles.

Interior will be light and spacious, with greens/blues/orange/yellow. Wood floor and wood fixtures, some selected old-fashioned antique fixtures as well as standard shelving from IKEA or salvage. Extensive use of small white lights around exterior windows, hanging lights above counter, ceiling track lighting will enhance the cozy feeling. Extensive interior signage/shelf talkers/ posters/slogans will give information and introduce customers to store concept of edible, sustainable, delicious gardening.

The exterior sale space in the back of the building will be paved with a mixture of concrete and permeable patio pavers to allow for water runoff from care of the nursery stock. All fertilizers used for the care of the plants will be eco-friendly and organic. The plants will be displayed on metal or wooden benches and racks. The area will be fenced for aesthetic and security purposes, with access through a gate for loading and deliveries.

Garden carts will be provided for use by customers who need to bring product to their cars.

No plants will be grown on the premises for resale. All nursery product and plants will be purchased for resale from licensed vendors in the area. Product delivery will be made from the adjacent parking lot, which allows two parking spots for Egg|Plant Urban Farm Supply use, as well an additional 1200 square feet of easement space. Egg|Plant Supply will not own its own delivery vehicle, and all products will be delivered by vendors or by courier van contracted by Egg|Plant Supply. Delivery will occur during business hours.

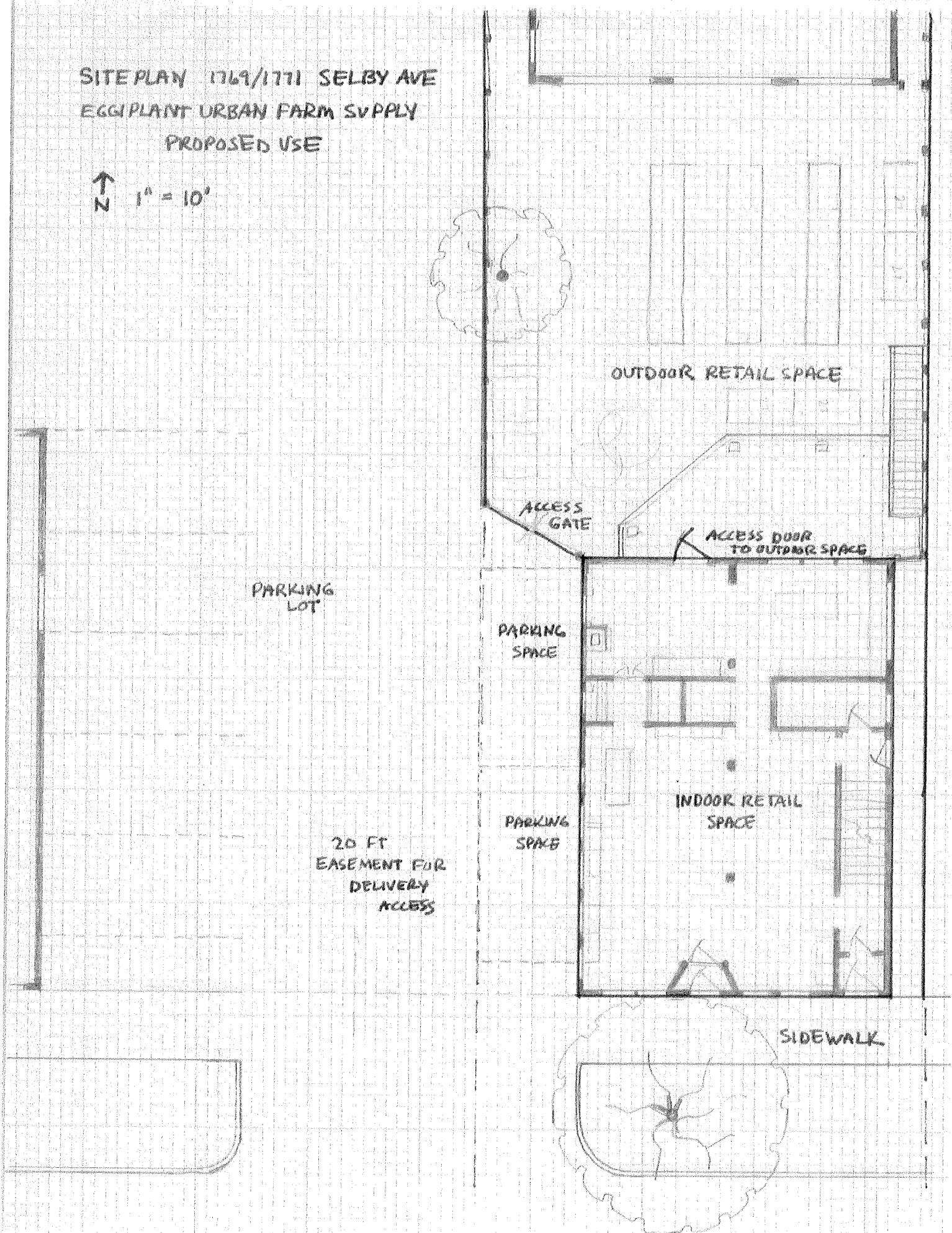
Indoor bathroom for customers and employees is available. An office area is available for storage and computer, record keeping, and meetings. Back door opens to outdoor sales area, and adjacent parking lot/easement for deliveries. Area immediately out of back door is covered outdoor patio, under upstairs deck, covered with vines in summer. Back door access is at grade.

Hours of operation will be 10 am-6 pm Tuesday through Saturday and 12 to 5 Sundays. Hours will be extended during high season in April/May/June, and shortened during the winter, except for December back to normal hours, plus a sale between Dec 26 and Dec. 31.

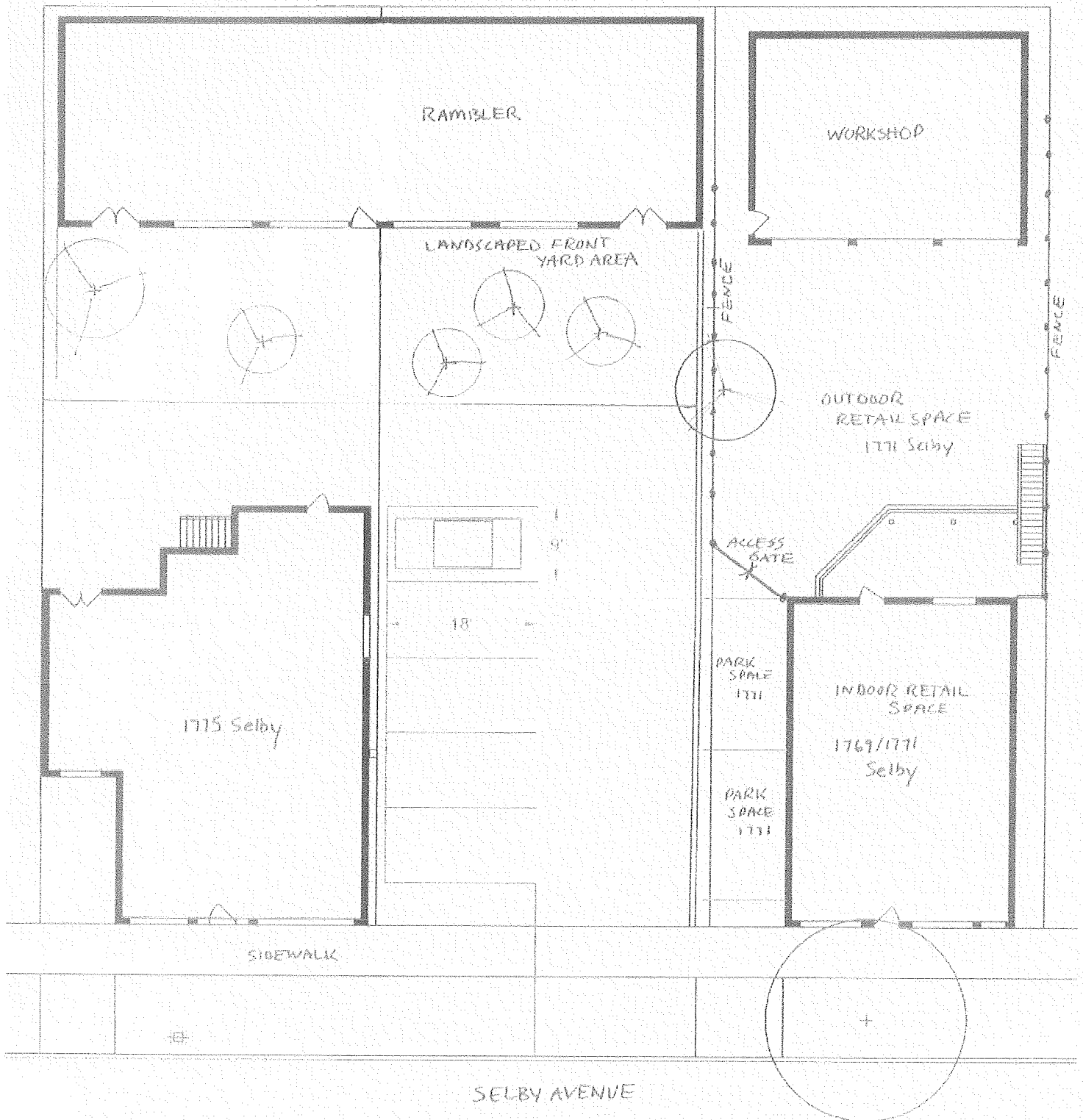
There are two off-street parking spaces next to the building, Additional customer parking is on street, with a loading area for customers who use street parking and buy larger items such as fruit trees or chicken feed. Adjacent parking lot may be available for weekend parking and loading.

SITE PLAN 1769/1771 SELBY AVE
EGG PLANT URBAN FARM SUPPLY
PROPOSED USE

↑
N 1" = 10'



SITEPLAN 1775 1769 1771 Selby Ave
 EGGPLANT URBAN FARM SUPPLY CO.
 Proposed Use of 1771 Selby for retail
 Feb 18 2010



NORTH LINE OF LOTS 24 AND 25

SW CORNER OF LOT 24

ONE STORY 3 UNIT RAMBLER

PARCEL B

CONCRETE SURFACE

BITUMINOUS SURFACE

WOOD LATTICE FENCE IS 0.3 FEET EAST OF PROPERTY LINE

LOT 24

1776 SELBY
2 STORY BRICK BLDG.

AREA SUBJECT TO SELBY AVENUE AS REFERRED TO IN TITLE COMMITMENT

STREET

ELECTRIC METER

GAS METER

CONCRETE

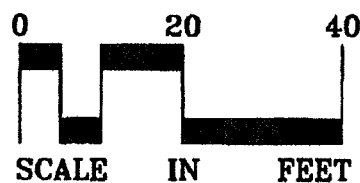
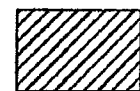
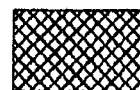
BITUMINOUS SURFACE

PARCEL C

EAST LN LOT 25

SOUTH LINES OF LOTS 24 AND 25

SELBY AVENUE



DRAWN BY: WITH

PROJECT NUMBER: 06070

10-17-08

DRAWING ISSUED

SHEET 1 OF 1 SHEET

**LOUCKS
ASSOCIATES**

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1717/1769 Selby Ave



SELBY AVE

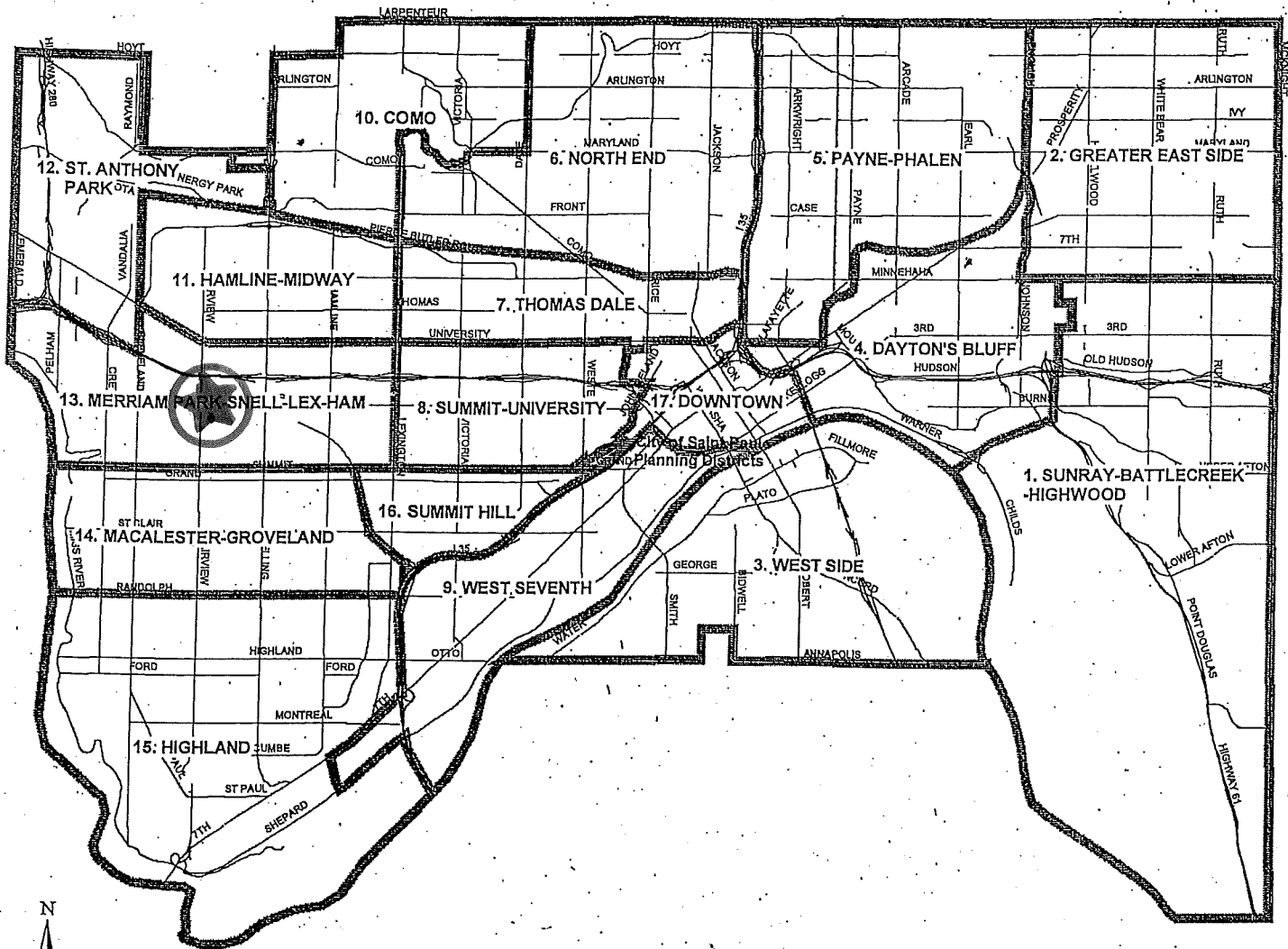
WHEELER ST N

SELBY AVE

DAYTON AVE

SELBY

CITIZEN PARTICIPATION DISTRICTS



CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

10-110727

Rm2

MARSHALL

HERSCHEL

DAYTON

B2

SELBY

Rm2

HAGUE

LAUREL

Wheeler

RT1

B2

RT1

R3

Rm2

Fairview

ST.

APPLICANT

Audrey MATSON

PURPOSE

CUP w/modifications

FILE #

10-110 727

DATE

2-22-10

PLNG. DIST.

13

MAP #

18

SCALE 1" = 100'



LEGEND

zoning district boundary

subject property

one family

two family

multiple family

commercial

industrial

vacant



ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Melvin Miller **FILE #:** 10-113-461
 2. **APPLICANT:** Melvin Miller **HEARING DATE:** March 18, 2010
 3. **TYPE OF APPLICATION:** Conditional Use Permit & Variance
 4. **LOCATION:** 1116 Pacific St, SW corner at Frank
 5. **PIN & LEGAL DESCRIPTION:** 332922430070, Drakes Re Of B28 1011 11b11 Lot 1 Blk 8
 6. **PLANNING DISTRICT:** 4 **PRESENT ZONING:** R4
 7. **ZONING CODE REFERENCE:** § 65.159; § 61.501; §61.601; 61.202(b)
 8. **STAFF REPORT DATE:** March 10, 2010 **BY:** Emily Goodman
 9. **DATE RECEIVED:** February 25, 2010 **60 DAY DEADLINE FOR ACTION:** April 26, 2010
-

- A. **PURPOSE:** Conditional use permit for transitional housing for drug and alcohol recovery for six (6) adult males and variance for parking
- B. **PARCEL SIZE:** Approximately 40 ft. of frontage on Pacific Street, with 130 ft. on Frank Street, and an approximate area of 5120 sq. ft.
- C. **EXISTING LAND USE:** Single family dwelling
- D. **SURROUNDING LAND USE:**
 - North: Mixed-density residential and business uses (RM2, R4, and B2)
 - East: Single-family residential uses (R4)
 - South: Single- and multi-family residential uses (RM2, R4)
 - West: Single-family residential uses (R4)
- E. **ZONING CODE CITATION:** §65.159 lists conditions for transitional housing facilities; §61.501 lists general requirements for all conditional uses; §61.202(b) authorizes the planning commission to grant variances when related to permits, using the required findings of §61.601.
- F. **HISTORY/DISCUSSION:** There are no zoning actions or records for this property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 4 Community Council sent a letter to the City stating that the Council does not support approval of a conditional use permit for transitional housing at 1116 Pacific Street.
- H. **FINDINGS:**
 1. My Father's House Minnesota, Inc.'s mission is "to end long-term homelessness and reduce chemical dependence by providing a safe, clean and drug free living quarters to Minnesota's homeless population who have been identified as having alcohol and drug related problems." They are proposing to provide transitional housing to six (6) male residents on this property. The facility will be staffed by an executive director, program director, program manager, staff cook, and staff driver. Throughout their residency, clients will progress toward independent life skills, sobriety, and placement into permanent housing.
 2. Sec. 65.159 lists six standards that all transitional housing facilities must satisfy:
 - (a) *In residential, TN1-TN3 traditional neighborhood and OS – B2 business districts, a conditional use permit is required for facilities serving more than four (4) adult facility residents and minor children in their care. This condition will be met upon approval of this application.*
 - (b) *In RL-RT2 residential districts, the facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from any other transitional housing facility with more than four (4) adult facility residents, licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents, or overnight shelter. This condition is met. There is no such service within one thousand three hundred twenty (1,320) feet) of the proposed transitional housing use.*
 - (c) *Except in B4 – B5 business districts, the facility shall not be located in a planning district in which one (1) percent or more of the population lives in licensed community residential facilities,*

emergency housing facilities, shelters for battered persons with more than four (4) adult facility residents, overnight shelters, and/or transitional housing facilities with more than four (4) adult facility residents. This condition is met. District 4 has a concentration of .58% of the population living in such facilities.

(d) In RL-RT1 residential districts, the facility shall serve six (6) or fewer adult facility residents and minor children in their care. In RT2 residential, TN1 – TN3 traditional neighborhoods, OS-B3 business and IR-I1 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care. This condition is met. The proposed transitional housing use would take place in an R4 district and would serve six (6) adults at capacity.

(e) In RL-RT2 residential districts, the facility shall not be located in a two-family or multi-family dwelling unless it occupies the entire structure. This condition is met. The proposed transitional housing use would take place in a single-family dwelling.

(f) In residential districts, facilities serving seventeen (17) or more facility residents shall have a minimum lot area of five thousand (5,000) square feet plus one thousand (1,000) square feet for each guest room in excess of two (2) guest rooms. This condition does not apply as the proposed use would only serve six (6) residents.

3. Sec. 61.501 lists five standards that all conditional uses must satisfy:

- (1) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The proposed transitional housing use is in accord with the current Saint Paul Comprehensive Plan housing plan policy 6.7, "Link services with affordable housing." These services include job training and education, which My Father's House Minnesota, Inc. intends to provide. The proposed Housing Plan also contains language supporting My Father's House Minnesota, Inc.'s mission to "end long-term homelessness and reduce chemical dependence," including policy 3.4, "Assist in the preservation and production of homeless and supportive housing." The District 4 Plan Update also includes goals which would be supported by the proposed transitional housing use. The unemployment/underemployment goal "to promote the creation of meaningful work for Dayton's Bluff residents and to promote better education of residents so that they will be better prepared for jobs of the future" will be supported by My Father's House Minnesota Inc.'s job training programs.
- (2) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The applicant has stated that the six residents and four staff will get around primarily through a staff driver and that residents will not be permitted to keep their own personal vehicles at the property. Due to the limited number of vehicles, the two-car garage with alley access and the on-street parking will be sufficient to provide adequate ingress and egress to minimize traffic congestion for the transitional housing use.
- (3) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The house rules for My Father's House Minnesota, Inc. indicate that the transitional housing use would not be detrimental to the existing character of the development in the immediate neighborhood, nor would it endanger public health, safety, and general welfare. These rules include a requirement that clients are expected to keep the property and themselves in a "neat, clean, presentable responsible manner" and are prohibited from bringing "alcohol, drugs, pornography or weapons" on the premises.
- (4) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use would not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district because the My Father's House Minnesota, Inc.

mission statement, history and description, operational plan, and essential services plan all indicate that the transitional housing use proposed would have minimal neighborhood impact. Among other requirements, the clients would be required to keep respectful hours and return to the premises before 11:00pm on a weeknight or 12:00am on a weekend and they would be required refrain from bringing alcohol or drugs on the premises.

- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is not met. The proposed use would take place in an existing single family home, which appears to conform to the minimum lot size, height maximum, and yard setbacks for the R4 zoning district. However, the parking requirement for transitional housing is one space for every two residents, so My Father's House, Inc. would require three (3) parking spaces. The site plan shows only a two (2) car garage, so a variance for parking is required.

4. Section 61.601 sets out the required findings for a variance of the Zoning Code:

- (a) *The property in question cannot be put to a reasonable use under the strict provision of the code.* This finding is met. The transitional housing use for six (6) adult males is a reasonable use for this property. Under strict provision of the parking requirement, the property in question could not be used as a transitional housing facility for six (6) adults.
- (b) *The plight of the landowner is due to circumstances unique to his property, and these circumstances were not created by the landowner.* This finding is met. This property has a short driveway and the lot configuration does not provide room for a parking pad adjacent to the garage, so the land owner cannot use it for the required parking within the confines of the private property line. The landowner did not create that situation, as the garage and driveway location both appear to predate his ownership of the property.
- (c) *The proposed variance is in keeping with the spirit and intent of the code, and is consistent with the health, safety, comfort, morals and welfare of the inhabitants of the City of Saint Paul.* This finding is met. The intent of the parking requirement is to ensure that properties provide adequate parking for their various uses. The two (2) parking spaces on the site will be adequate for this transitional housing facility. My Father's House Minnesota, Inc. will have a van onsite and hire a staff driver. The applicant has stated that the six (6) adult residents of the facility will not be permitted to keep personal automobiles on site.
- (d) *The proposed variance will not impair an adequate supply of light and air to adjacent property, nor will it alter the essential character of the surrounding area or unreasonably diminish established property values within the surrounding area.* This finding is met. Permitting the variance to reduce required parking by one space will maintain the current character of the property and the supply of light and air to adjacent property.
- (e) *The variance, if granted, would not permit any use that is not permitted under the provisions of the code for the property in the district where the affected land is located, nor would it alter or change the zoning district classification of the property.* This finding is met. The variance of required parking would permit a transitional housing facility, which is a conditionally permitted use in the R4 district.
- (f) *The request for variance is not based primarily on a desire to increase the value or income potential of the parcel of land.* This finding is met. The applicant is seeking the variance of required parking so he can have a transitional housing facility on the property and not primarily to increase the value or income potential of the parcel of land.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for transitional housing for drug and alcohol recovery for six (6) adult males and variance for parking subject to the following additional conditions:

1. The applicant obtains and maintains certification as a Group Residential Home from Ramsey County.

2. The applicant enforces the House Rules, including no entry after 11:00pm on weekday evenings and 12:00 am on weekend evenings, the prohibition of alcohol, drugs, or weapons on the premises, and property upkeep.



CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only

File # 10-113461
Fee: 1000.00

Tentative Hearing Date:

3-18-10

PD=4

3329 22430070

APPLICANT

Name Melvin G. Miller
Address ~~1116~~ 1116 Pacific Street
City St. Paul St. MN Zip 55106 Daytime Phone (651) 305-6329
Name of Owner (if different) Earl F. Miller
Contact Person (if different) Gregory Maxie Phone (651) 485-2618

PROPERTY LOCATION

Address / Location 1116 Pacific St., St. Paul 55106
Legal Description _____
Current Zoning R4
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
Chapter 65, Section 159, Paragraph (d) of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

- Transitional GRH
- See attached proposal for necessary data

Gregory Maxie 3/3/2010

pdd
3-3-10

Cash
750.00

☐ Required site plan is attached

Applicant's Signature

[Signature]

Date

2/05/10

City Agent

pdd
2-5-10

Request for Proposal: MY FATHER'S HOUSE MINNESOTA, INC. /BASE RATE GROUP
CLIENTIAL HOUSING FOR ADULT MALES WITH CHEMICAL DEPENDENCY OR CO-
OCCURRING CHEMICAL DEPENDENCY AND MENTAL ILLNESS

My Father's House Minnesota, Inc.

Base Rate Group Residential Housing for Adult Males with Chemical Dependency or

Co-occurring Chemical Dependency and Mental Illness

Ramsey County for Contracts & State of Minnesota for License

February 10, 2010

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Need for Transitional, GRH (2561.01 to 2561.08):

Long-term homelessness, substance abuse and dependency are serious social problems that can have profound effects physically, mentally, morally and spiritually on individuals and their families. In addition, these social problems can contribute significantly to other serious emotional and behavioral problems. The United States federal definition of homelessness, Title 42, Chapter 119, Sub-chapter 1, is a person who lacks a fixed, regular, and adequate night-time residence; in addition to an individual who has a primary night-time residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregated shelters, and transitional housing for the mentally ill.

In addition, homelessness can also be described as an institution that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (US Department of Housing and Urban Development, 2009). The Third Annual Homeless Assessment Report to Congress (2007) indicated that the point-in time there were 671,888 homeless and unsheltered families in the nation. The Minnesota Coalition for the Homeless (2008) reported that 9,000 individuals were homeless; surprisingly, very little changes has occurred from the 2003 statistics.

Substance abuse can be described as a maladaptive pattern of substance use leading to clinically significant impairment or distress in failure to fulfill major obligations (e.g., at work, home and or school). This criterion also applies to reoccurring legal problems. Substance Dependency is described as a maladaptive pattern of substance use leading to significant impairment or distress marked by: diminished effects of continual use, a need for increase amounts for intoxication, neglect of important social, occupation or activities are given up, or unsuccessful attempts to reduce or control usage (Diagnostic Statistical Manual, 2000). Individuals who present themselves with such problems need treatment, care or rehabilitation.

Transitional housing programs have been implemented by GRH planners to combat the growing population of long-term homeless individuals who are addicted to drugs and alcohol and have other mental illness concerns. My Father's House Minnesota, Inc., staff strives towards success of individuals becoming self-sufficient to live independently. As it has been noted, no comprehensive, coordinated services exist in the targeted area of Dayton Bluff, in Ramsey County, Minnesota to meet the identified needs of individuals over 18 years of age. Not surprisingly, MFHM, Inc. is strategically designed and unique in assisting the homeless and chemically dependent individuals become independent, staying abstinent from all mood altering chemicals, and establishing self-sufficiency to live in permanent housing.

Mission Statement

To end long-term homelessness and reduce chemical dependence by providing a safe, clean and drug free living quarters to Minnesota's homeless population who have been identified as having alcohol and drug related problems. We advocate for clients who are homeless in the Twin Cities to obtain permanent suitable, low-income subsidize housing and reduce the risk of continual use of mood altering chemicals. In addition, My Father's House Minnesota, Inc. (MFHM, INC) seeks to promote harm reduction to individuals by increasing protective factors of being responsible productive social human beings. Our mission statement is built on the belief that it is through collaboration and participation at all levels that long-term social change can be effective. Our arena of staff are made up of spirit filled, Christ-like team of professionals, and our service philosophy is "Always pray because when prayers goes up; blessings come down."

Attachment A**VENDOR FACT SHEET**

Legal Name: (As registered with Secretary of State)

My Father's House Minnesota, Inc.

Doing Business As:

Transitional Group Residential Housing (GRH)Service Site If other than Corporate Headquarters): 1116 Pacific Street Saint Paul, Minnesota 55106

Corporate Headquarters Address:

1116 Pacific Street Saint Paul, Minnesota Zip Code: 55106

Telephone: (651) 485-2618 FAX: _____

Corporation type: ☒ Profit ☐ Non-Profit ☐ Public
☐ Partnership ☐ ProprietorshipFederal Tax ID#: 411720681E-Mail Address: earlfmiller@qwest.net~melvingmiller@yahoo.com~maxiegregory@yahoo.comExecutive Director: Rev. Dr. Earl Miller Telephone : (651) 283-8728Program Director: Melvin Miller Telephone: (651) 325-6329Accounting Contact & Title & Telephone: Program Director~Melvin Miller (651) 325-6329

List names of those with authority to sign billings and receive payments including names, title, and telephone number:

Rev. Dr. Earl Miller (Executive Director & Chair) Phone: (651) 283-8728Melvin Miller (Program Director) Phone: (651) 325-6329

Authorized signature: _____ Date: _____

If applicable: Licensed to do business by: _____
(Please include copy of license)

History and Description of Who We Are

Attachment: B

The Rev., Dr. Earl Miller Founder and Executive Director of My Father's House Minnesota, Inc. (MFHM, Inc.) felt there was a growing need to reach out into the community and make a difference in the lives of the unfortunate by providing a friendly, drug-free, safe and clean, supportive social living environment where all are welcome to get their lives on the right track. Rev. Dr. Earl Miller's experience as a respectful clergyman and member in the community has counseled individual males and females who shared some of the common concerns of being homeless, addicted to alcohol and drugs, to having family and legal problems. As the congregation of churches and other community members acknowledged there was a need to do something to help, many of them offer their homes as a temporary place to live; surprisingly, many of the unfortunate expressed that there was nothing like having their own place to call home.

As the vision became clear to Dr. Earl Miller, he acknowledged the biblical scripture "There is 'plenty of room' in My Father's House (John, 14:1-6)" and as he set up, launched, and instituted his ideas, there came My Father's House Minnesota, Inc., Transitional Group Cliental Housing (GRH). As a human service, MFHM, Inc. is currently designed to serve 6 adult males, who have been identified as being literally homeless, who have a history of alcohol and drug problems, and who are seeking permanent subsidized low-income housing. The MFHM, Inc. staff will always strive to supplement and fulfill the needs of this population of vulnerable adult males by providing a drug free and safe living environment, while influencing positive social change to improve the quality of their lives as social human beings. The program director of MFHM, Inc. Melvin Miller and his staff are spiritually routed in striving to promote motivation and commitment to learning positive values of discipline, obedience to authority and being responsible adults.

The executive director, the program director and staff believe that viewing one's self in a positive way influences motivation, high levels of self-esteem, endurance, a sense of psychological importance, and self confidence to pursue and achieve spiritual, personal and social goals. In addition, the MFHM, Inc., is founded on the belief that homelessness and certain mental illnesses are situational and can be overcome if we as the community put our best foot forward and show that we care.

Organizational Chart**Attachment C:**

The Executive Director and Chair: Dr. Rev. Earl Miller will set up, launch, and institute any additional programs and assure all state requirements (e. g., licensing, permits, insurance and all other financial responsibilities have been met, and signing billing.

The Program Director: Melvin Miller will research, plan, develop and implement one or more of the program's professional services. In addition. The program director will be responsible for accounts receivable, accounts payable and purchasing all needed household necessities.

The Program Manager: Gregory Maxie will be responsible for managing multiple interdependent projects, including coordinating that will lead to better quality of services, success rate and client group facilitation. lead towards successful transition into permanent housing

Staff Cook

Staff Driver

Financial Stability and Operations

Attachment D:

The MFHM, Inc., is a new program; however, the financial stability and operation instructions will be noted on February 27, 2010, and will operate on a year-round basis with a completion date and evaluation on February 27, 2011. A total of 4,992 work hours will be provided by the director, program manager, cook and driver.

Director's work scheduled hours:

At least 60 percent of the Program Director's work scheduled hours will be allocated to implementing professional strategies and administration. These work hours include: time for the director to finalize all decisions and documenting all discharges for billing purposes.

Program manager's work scheduled hours:

At least 65 percent of the Program House Manager's work scheduled hours will be allocated to direct contact with clients, this includes: assigning beds, orientation, facilitating life skills awareness group, monitoring safety and compliance to rules, work-shops focused on harm reduction, behaviors, interpersonal relationships with others, and awareness on clients making the transition from group residential housing into permanent long-term housing.

Cook's work scheduled hours:

At least 85 percent of the cook's work scheduled hours will be reporting kitchen needs to the program manager, preparing the weekly menu, serving three-meals per day, and managing the sanitary cleanliness and operation of the kitchen.

Driver's work scheduled hours

At least 90 percent of the driver's work scheduled hours will be for deliveries, pick-up and dropping-off clients at MFHM, Inc. and to assure that clients, whose mobility is limited, get to important appointments.

Budget:

The costs to operate this program are extremely reasonable and the budget is based on: 1) the extensive objectives, design, and potential significance of the program to build upon successful aspects: 2) the use of technology-based systems for communication, professional development, and dissemination: 3) the intense level of organizing and planning that has occurred to build the capacity of MFHM staff. The in-kind cost to start-up and operate for 52 weeks is estimated at \$150, 000 dollars; however, at the base rate of \$ 846 per month, per qualified client this funding will account for \$ 60, 912 dollars of the initial quoted funding budget. More than (40%) of these funds will be used to provide and operate a safe and drug-free building. And, (40%) of the remaining funds will be used for staff needed to provide direct and indirect supported services. Technology equipment and office supplies account for (8%), transportation accounts for (6%) and the remaining (6%) will be used for insurance.

In-puts:

The MFHM, Inc., program will strive to meet the needs of disadvantaged homeless individuals who are at-risk by providing supportive program services and promoting safety, in a friendly, drug supportive social environment, while improving the quality of lives as social human beings. The MFHM, Inc., will also strive to foster, supplement, and fulfill life skills through motivational techniques that promote commitment to learning positive values and establishing self-sufficiency to live independently.

Out-puts:

At the end of one's stay at MFHM, Inc., there will have been three systematic measures administered to clients: the *Homeless and Chemical Health Pretest, Post-test, and a Client Satisfaction Questionnaire*. These measures will support MFHM, Inc., intended goals are to reduce long-term homelessness, alcohol and drug dependency and criminal activity in the City of Saint Paul, Minnesota while advocating for permanent housing for our clients. MFHM, Inc. Will build a net-working system and collaborate with Ramsey County Human Services (RCHS), Section-8/Housing Choice Vouchers (SHCV), and Saint Paul Housing Authority (Saint Paul Public Housing Authority, 2010), Housing and Urban Development (HUD).

These housing programs are open to very low income individuals, usually at or below 17,600. As an out-put, there will have been a net-working collaborated system for Community Services (CS), Public Health (PH), and Mental Health (MH) agencies that will assist in clients' maintaining self-sufficiency and living independently. The staff at MFHM, Inc., will provide supportive services that will serve as an intricate part of the program utilizing models of cognitive social learning, the zone of proximal development through guided participation, and rational emotive behavioral concepts that will ultimately promote abstinence from mood altering chemicals and influence positive social changes.

Essential Services Planned and Offered

Attachment E:

MFHM, Inc., will provide a range of direct and indirect supportive services that includes: transitional housing, community outreach, chemical health harm reduction intervention and prevention, clients education of mental illness, promote friendly interpersonal relationships with others, career awareness, and leisure activities. See bullets:

- Transitional housing-suitable housing that includes designated individual living space with meals and all the essentials.
- Community outreach-networking with other outside organizations to better assist clients in establishing self-sufficiency and to live independently.
- Chemical health harm reduction intervention and prevention that informs clients of the harmful risk physically, mentally and sociably that is associated with using and abusing mood altering chemicals.
- Client education of mental illness-inform clients how to avoid becoming stressed, depressed and angry beyond what is expected for normal.
- Promote friendly interpersonal relationships with others-influence positive social change in attitudes, behaviors and the conditions of learning how to live independently and self-sufficiently.
- Career awareness-advise clients of their hidden potential such as values, skills and potentially realistic career opportunities.
- Activities- as a common interest for all clients, activities will encourage interactions with one another and collectively and agree on a common goal.

Site Location:

MFHM, Inc., is located in the Dayton Bluff area at 1116 Pacific Street in Saint Paul, Minnesota. This transitional housing falls under the GRH accommodating 6 single-beds for adult males with access to community telephone, in-house laundry services and a variety of clothing items for individuals who are in need. All clients are required to keep My Father's House in a neat, clean and livable respectful manner. The planning and zoning committee has indicated that no such service currently exist, within 1,350 feet, of MFHM, Inc. There is parking accommodations for clients and staff. In addition, this location is conveniently close to public transportation, convenient stores, department stores and other places to conduct necessary business.

Entry Process and Fees:

The initial process for entry into MFHM, Inc., will be determined by one's eligibility for GRH. A county human service agency must approve placement in the transitional setting. If a person is eligible, they will also qualify for medical assistance (MA). Effective as of July 1, 2009, the transitional GRH room and board limit is \$ 846 per month (Group Residential Housing Minnesota, 2009). The length of a client's stay is dependent on their progress towards independent life skills, sobriety and placement into permanent housing, or until the client determine that services are no longer needed.

Staff Qualification and Hours of Operation:

The MFHM, Inc. staff will include the Executive Director the Rev., Dr. Earl Miller who holds Doctorate of ministries, a Masters in Divinity, a BS in Music, and has DHS clearance. The Program Director Melvin Miller holds a Masters in Divinity, BS in Mathematics, he has a teaching license, DHS clearance, and is a PhD candidate in Theology. In addition, the program director has over 13 years in ministry providing pre-marital pastoral counseling. The Program Manager /Coordinator, Gregory Maxie holds a MS in Community Psychology, a BS in Criminal Justice/Sociology, a Minnesota ADC-T license, DHS clearance, and is a PhD Candidate in Clinical Psychology.

The cook will have work experience relevant to the needs of MFHM, Inc., such as ordering supplies, preparing menu, adherence to health and safety regulations, managing the kitchen, and have two-years free from alcohol or drugs, and currently clean and sober. The driver will have a class A-Minnesota driver's license, two-years free from alcohol or drugs, and currently clean and sober. All staff will be clean and sober from all mood altering chemicals for a minimum of two-years or more; in addition to having a working knowledge of the homeless population and individuals with alcohol and drug related problems.

House Rules:

Being that all clients are adults, they are permitted to come and go as they please to attend to their daily appointments and take care of other important personal business. However, all clients are expected to keep My Father's House and themselves, in a neat, clean, presentable responsible manner. Clients are also expected to keep respectful hours and not disturb their neighbors when entering or exiting the house. For example, no entry after 11:00 PM on **Week-days**; and 12:00 Midnight on **Week-ends**. There are some exceptions to this rule. No alcohol, drugs, pornography or weapons are allowed on the premises. clients are allowed to bring clothing items, hygiene kits, and portable compact entertainment that can be utilized with headphones. ***There is no storage space for furniture items.***

State and County Licensing:

MFHM, Inc., services will be licensed as Transitional housing under the GRH agreement to adult homeless males who have a history of alcohol and drug and other mood altering chemical dependency problems.

Need for Initial Service Plan:

Screening will occur during the initial intake to determine a baseline for the working relationship. This initial services plan will also serve as a baseline and pretest to evaluate client's homeless situation and chemical health concerns entering the program. Clients referred to MFHM program must have a prior history of long-term homeless in addition to drug and alcohol problems. Initial in-take assessment will provide collateral information from Ramsey County workers relevant to the clients' needs. Questions will address: 1), the primary purpose that led client to transitional GRH, 2), how long have they been homeless 3), their immediate mental and physical health and safety concerns 4), thoughts about being self-sufficiency and live independently in permanent housing 5), how long they've lived in the Twin Cities 6), what gives them strength to press forward 7), if they feel that they had family or social support, and 8) if they feel there is hope for their situation. During this phase of the services plan, it will be determined whether or not a client is a vulnerable adult as defined in Minnesota Statutes, section 626.5572 subdivisions 21.

Individual Discharge Plans:

An individual discharge plan for individuals in MFHM will be completed within seven calendar days, prior to client being discharged from MFHM and accepted into long-term housing. This individual discharge plan will serve as a post-test evaluation to measure client success in the program from their point of entry. Discharge plans will be updated as new information is collected from client and collateral sources. Discharge planning will involve ongoing monitoring in areas of clients' needs to sustain permanent housing. These plans are subject to change until clients are finally discharged from the program. Clients will play an active role in navigating their transition into permanent housing and what it means to be responsible, independent and self-sufficient. It is recommended that all clients select three-goals and strive to fulfill them as they are prioritized. After an in-depth discussion of the development of an exit plan, the program manager and client will both sign and date the document.

Needs for Group Harm Reduction:

There is a natural tendency for people to gather in groups for mutually beneficial purposes. Through the MFHM groups, individuals can accomplish goals and relate to others in innovative and productive ways (McClure, 1990). To reduce risk factors that contribute to individuals harming themselves, and provide protective factors as a common interest to all is the purpose, because people would not survive, let alone thrive, without involvement in the group process. This reliance and interdependence is seen in all types of groups from those that are primarily task-oriented to those that are basically therapeutic.

In order to be effective, MFHM, Inc. group facilitator will be aware of the strength of their presents. MFHM, Inc. group facilitators are culturally sensitive and will be prepared ahead of time for the developmental stages of the clients. The group leader will utilize professional and appropriate skills to help their group develop fully (Gladding, 1994). Proper preparation and strategic intervention increase the chance of running a group smoothly and effectively. Homelessness and group harm reduction will address the needs and concerns of client's chemical use and other behaviors.

Needs for Career Awareness:

The occupational inequality and related stress mirrors the lack of self-efficacy that members of families endure from poor education, poverty, unemployed parents, medical conditions, and culture changes. These risk factors often contribute to members living on the streets, alcohol and drug abuse, and adult criminal behaviors (Gavales, 1966; Dory, Beaulieu, Pestiaux, Pouchain et al., 2009). Therefore, a need to provide basic career awareness not only can provide information but this model also enhances one's potential and willingness to reach for success. This model has the ability to encourage clients to establish long-term goals and complete them (United States Census Bureau, 2006).

Records

Client Record Required (9530.6440):

As a services provider, the MFHM, Inc. staff will maintain a file of current client records on the premises where the GRH services are provided or coordinated. The content and format of client records will be uniformed and entries in each case will be signed and dated by the staff member making the entry. Client records will be protected against loss, tampering, or unauthorized disclosure in compliance with Minnesota Statutes, section 254A.09, Code of Federal Regulation, title 42, chapter 1 part 2, subpart B, sections 2.1 to 2.67, and Code of Federal Regulations, title 45, parts 160 to 164, and, if applicable, Minnesota Statutes, chapter 13.

Provider Policies and Procedures (9530.6455):

As a license holder for group residential housing, it is important to develop a policy and procedure's manual that all staff as well as consumers can have immediate access too. The , Minnesota's policy and procedure manual contains a broad range of information regarding our services, such as: A), policies and procedures that protect clients rights as stated under statute 9530.6470., B), emergency procedures that comply with part 9530.6475., C, policies and procedures for maintaining client records under part 9530.6440., D), procedures for reporting the maltreatment of vulnerable adults under Minnesota Statutes, section 245A .65, 626.557, and 626.5572.; E), and a description of the type and duration of housing services provided to clients F).

Individuals not Served by License Holder:

As a license group residential housing provider, MFHM, Inc., has specific responsibilities when terminating a working relationship with client or denying services for reasons of health, behavior, or criminal activity. As a license holder, MFHM, Inc., will comply with a written protocol for assisting clients in need of housing not provided by license holder, and for clients who pose a substantial likelihood of harm to themselves or others, if the behavior is beyond what is expected for normal. All service terminations and denials of service initiation which pose an immediate threat to the health of any individual or require immediate medical intervention must be referred to facility capable of admitting the individual B). All service termination policies and denials of services initiation that involve the commission of a crime against a license holder staff member or on a license holder's property, as provided under Code of Federal Regulations, title 42, section 2.12 © (5), and Code of Federal Regulations, title 45, parts 160 to 164, must be reported to a law enforcement agency with proper jurisdiction.

Photographs of Clients:

As a transitional housing provider of group residential housing all photographs, video tapes, and motion picture of clients taken in the provision of meeting clients needs are considered clients records. Photographs for identification and recordings by video and audio tape for the purpose of enhancing either self-sufficiency independence or staff supervision may be required of clients, but may only be available for limited use for communication within the program. All clients will be informed when their actions are being recorded by camera or tape, and have the right to deny any taping or photography, except as authorized by this subpart.

EMERGENCY PROCEDURES

Behavioral Emergency Procedures (9530. 6475)

As a license holder, the MFHM, Inc., will have written procedures that staff must follow when responding to a client who exhibits behavior that is threatening to the safety of the clients or others. The MFHM, Inc., includes: 1) a plan designed to prevent the client from hurting themselves or others; 2), contact information for emergency resources that staff can contact 24 hours a day; 3), various therapeutic procedures that are appropriate; 4), evaluating the circumstance under which procedure should be used, and 5) staff members authorized to implement emergency procedures. **It should be clearly understood** that behavior emergency procedures must not be used to enforce facility rules or for the convenience of staff. Behavioral emergency procedures must not be part of any client's housing plan, or used at any time for any reason except in response to specific current behaviors that threaten the safety of the client or others. Behavioral emergency procedures may not include the use of seclusion or restraints.

Consent Form

The primary purpose for an evaluation of My Father's House Minnesota, Inc., (MFHM, Inc.) is to measure the degree and extent of clients' homelessness and chemical health, at the point of entry into the program, the degree and extent of clients' homelessness and chemical health when discharged, and to evaluate clients' level of satisfaction from the program. This evaluation will be conducted by an evaluator selected by the program director. Consensus from the founder, director and program manager has determined that there are no foreseeable physical or psychological risks of harm involved in these evaluation measures. In addition, all clients will be advised that their participation in the evaluations is completely voluntarily and that they can withdraw from participation at anytime. More importantly, the results from the evaluations are confidential and will not reveal the names of any clients' score. Clients' signature below indicates that they have read this consent form and voluntarily give their consent to participate in the evaluation study at MFHM, Inc.

Client's Name: _____ Date: _____

Witness: _____ Date: _____

The Homeless and Chemical Health Pretest

The purpose of this questionnaire is to examine risk factors that contribute to long-term homelessness for men who are referred, by the DHS to My Father's House Minnesota, Inc. (MFHM, Inc.). Please help us improve MFHM, Inc., transitional housing by answering some questions about your past of being homeless and any chemical health concerns. We are interested in your honest opinion, whether it is favorable or not. Please answer all the questions and return the form to the assessor. Thank you very much; we really appreciate your help.

PLEASE CIRCLE ONE SINGLE ANSWER FOR EACH QUESTION

1 I am seeking transitional housing because I want to see if it is really better than living in shelters and on the streets.

(1) True (2) False (3) Somewhat True (4) Absolutely False

2 I have been homeless over five-years and I enjoy it except in the winter when it gets below freezing temperatures.

(1) True (2) False (3) Somewhat True (4) Absolutely False

3 Living in shelters has caused me to have some physical health problems, and this is one of the reasons why I get my own place.

(1) True (2) False (3) Somewhat True (4) Absolutely False

4 I had good thoughts about having my own place to live but it never happened so, I just kind of stop believing anything would change.

(1) True (2) False (3) Somewhat True (4) Absolutely False

5 I have been homeless in the Twin Cities over two-years and it is not as bad as some of the other places that I have been homeless.

(1) True (2) False (3) Somewhat True (4) Absolutely False

6 What gives me strength to press forward is the will to survive from day to day and hope that things will get better soon.

(1) True (2) False (3) Somewhat True (4) Absolutely False

7 I have never had family, friend or a social support system which makes me feel like nobody cares about people who are homeless.

(1) True (2) False (3) Somewhat True (4) Absolutely False

8 If there is hope, I would not be surprised that it passed me right on by because of the bad luck and disappointments I have experienced.

(1) True (2) False (3) Somewhat True (4) Absolutely False

The Homeless and Chemical Health Post-test

The purpose of this questionnaire is to examine risk factors that contribute to long-term homelessness for men who are referred, by the DHS to My Father's House Minnesota, Inc. (MFHM, Inc.). Please help us improve MFHM, Inc., transitional housing by answering some questions about your past of being homeless and any chemical health concerns. We are interested in your honest opinion, whether it is favorable or not. Please answer all the questions and return the form to the assessor. Thank you very much; we really appreciate your help.

PLEASE CIRCLE ONE SINGLE ANSWER FOR EACH QUESTION

1 I am seeking transitional housing because I want to see if it is really better than living in shelters and on the streets.

(1) True (2) False (3) Somewhat True (4) Absolutely False

2 I have been homeless over five-years and I enjoy it except in the winter when it gets below freezing temperatures.

(1) True (2) False (3) Somewhat True (4) Absolutely False

3. Living in shelters has caused me to have some physical health problems, and this is one of the reasons why I get my own place.

(1) True (2) False (3) Somewhat True (4) Absolutely False

4. I had good thoughts about having my own place to live but it never happened so, I just kind of stop believing anything would change.

(1) True (2) False (3) Somewhat True (4) Absolutely False

5. I have been homeless in the Twin Cities over two-years and it is not as bad as some of the other places that I have been homeless.

(1) True (2) False (3) Somewhat True (4) Absolutely False

6. What gives me strength to press forward is the will to survive from day to day and hope that things will get better soon.

(1) True (2) False (3) Somewhat True (4) Absolutely False

7. I have never had family, friend or a social support system which makes me feel like nobody cares about people who are homeless.

(1) True (2) False (3) Somewhat True (4) Absolutely False

8. If there is hope, I would not be surprised that it passed me right on by because of the bad luck and disappointments I have experienced.

(1) True (2) False (3) Somewhat True (4) Absolutely False

Client Satisfaction Questionnaire

The purpose of this questionnaire is to evaluate the level of satisfaction from clients who are participating in the MFHM, Inc. program. Please help us improve MFHM, Inc. transitional housing by answering some questions about how your past of being homeless, your chemical health problems and legal problems have changed since you have been participating in MFHM, Inc., program. We are interested in your honest opinion, whether it is favorable or not. Please answer all the questions and return the form to the assessor. Thank you very much; we really appreciate your help.

PLEASE CIRCLE ONE SINGLE ANSWER FOR EACH QUESTION

- 1 I rate the quality of service provided by the MFHM, Inc. as very good.
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree
- 2 I received the kind of services that I wanted from the MFHM, Inc. program.
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree
- 3 The MFHM, Inc. met my needs.
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree
- 4 I would recommend the MFHM, Inc. to friends.
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree
- 5 I am satisfied with the services provided by the MFHM, Inc. staff.
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree
- 6 The MFHM, Inc. helped deal more effectively with my problem.
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree
- 7 I am glad that I selected the MFHM, Inc.
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree
- 8 I would come back to the MFHM if I were in the same situation again
(1) Strongly Disagree (2) Disagree (3) Agree (4) Strongly Agree

My Father's House Minnesota, Inc. and the Population We Serve:

My Father's House's Minnesota, Inc. (MFHM, Inc.) is a transitional group residential housing program based in the Dayton Bluff area of Saint Paul, Minnesota. This county funded program provides transitional housing services for adult males, over 18 years of age, who have been identified as experiencing long-term homelessness by way of living on the streets, with others or from shelter to shelter, whose primary or secondary language is English, and who have a history of chronic chemical dependency. The population we serve are individuals capable of living independently within a reasonable period of time after being discharged from transitional housing, usually up to (18) months, who will live at the residence for a minimum of 30 days, and will agree to participate in the program activities that promote self-sufficiency and independent living (Legislative Code Sec. 65.159; (b) and (d) Transitional housing facility, MN.). To increase the chances of success rate, by way of goal attainment, clients will have access to community laundry, computer inter-net, and community phone.

Service Philosophy:

The uniqueness of our services philosophy provides congruency to the values of our agency and strength to our performance physically, mentally, morally and spiritually, which is, to "*Always pray, because when prayers go up; blessings come down.*"

Primary Intended Goals:

The primary intended goal is to plan, organize and coordinate needed services for the growing population of long-term homeless and chemically dependent individuals living on the streets in the Twin Cities. To provide a clear context for this RFP, a background and magnitude of the problem will serve as a baseline to serve our clients and measure the outcome. Next, the executive director's mission statement will assure quality service to all clients. A presentation of who we are is designed to assure that we do not discriminate against anyone and we will always strive to provide the best possible service to those in need. MFHM, Inc. staff will assess clients' and meet them where they are while focusing on stability in their lives to be self-sufficient. MFHM, Inc. staff will post in view the policies, procedures and the rights and responsibilities of clients, as well as the MFHM, Inc staff. Our goal at MFHM, Inc is to assure that the foundation has been laid for emergency procedures, inform consent and contractual agreements, services provided, and the evaluation of the program and services. Finally, MFHM, Inc. intends to assure that the Minnesota State Statutes governing our transitional GRH program (Legislative Code, 65.158) will be followed adhering to ARTICLE V. 61.500 of the Conditional Use Permits and 61.501 General Standards by assuring that the executive director confirms compliance with the State of Minnesota's following conditions.

- a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable sub-area plans which were approve by the City Council. These conditions are as followed:
- b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.
- c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.
- d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- e) The use and all other respects will conform to the applicable regulations of the district.

References and Suggested Readings

- City of Saint Paul Legislative Code, 65.158 (2010). Transitional Housing. Retrieved February 8, 2010, from <http://www.stpaul.gov/>
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1st Floor Plan
1111 Park St
St Paul, MN 55102

First Floor PLAN

FRONT ROOM

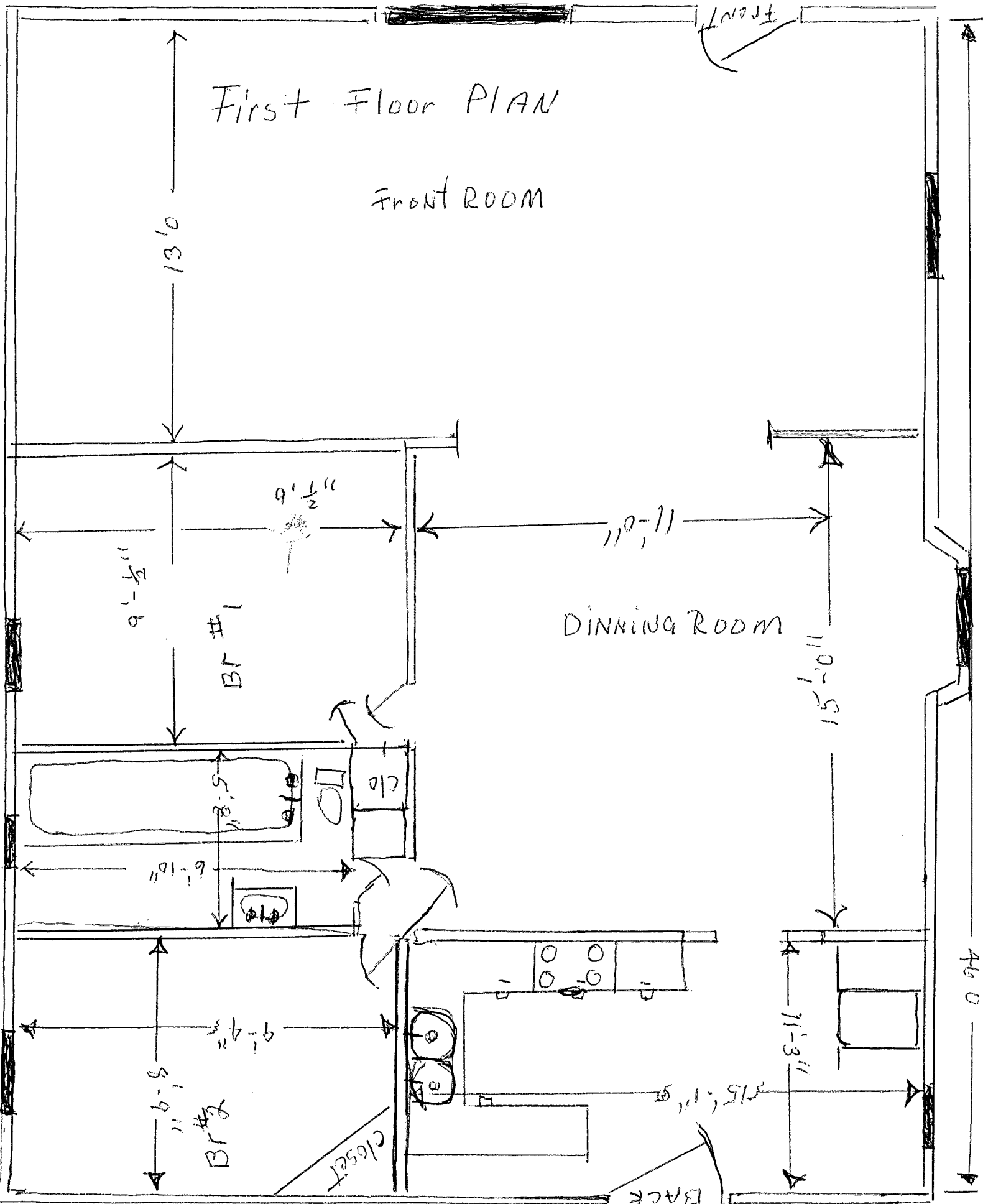
DINNING ROOM

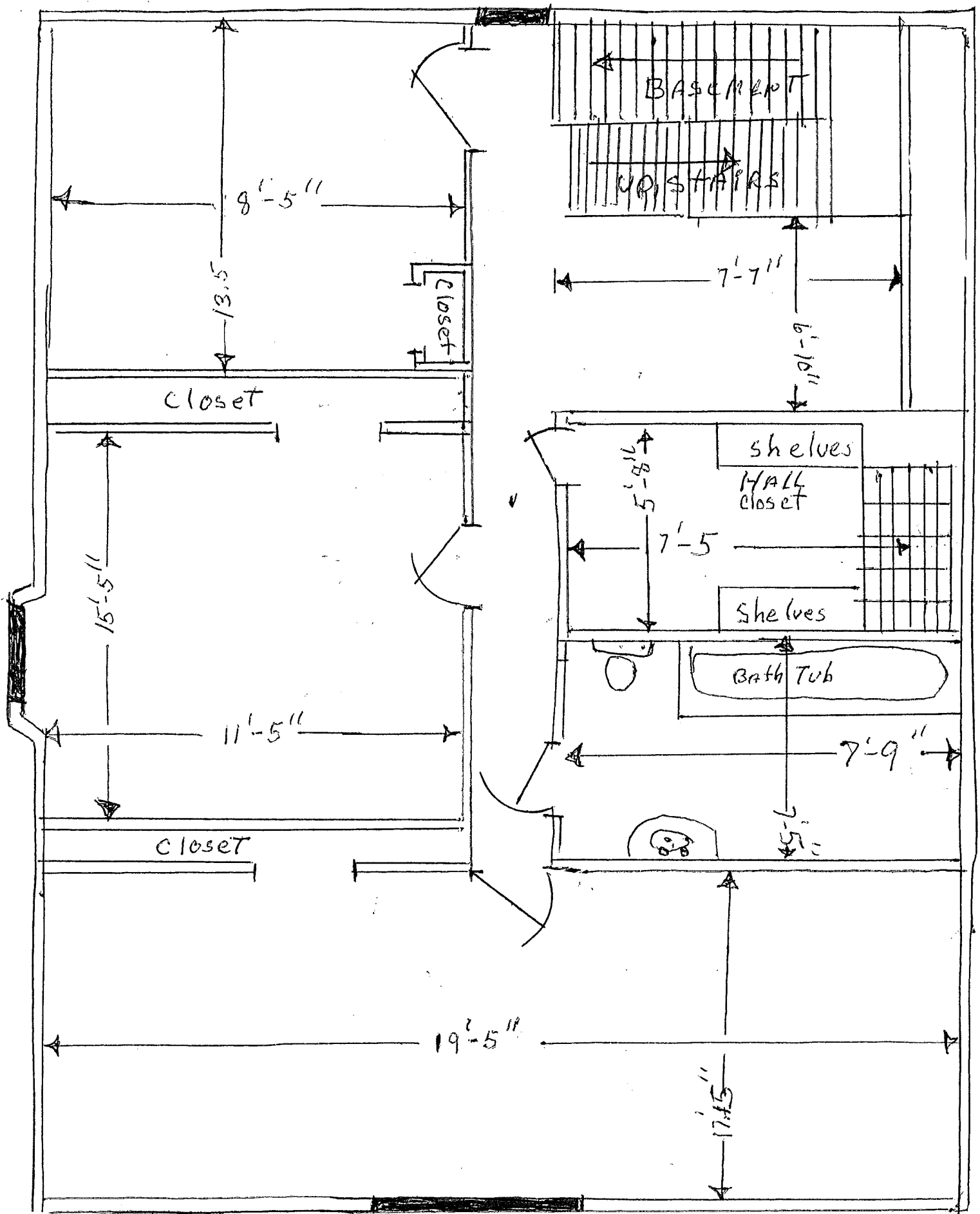
BR #1

BR #2

closet

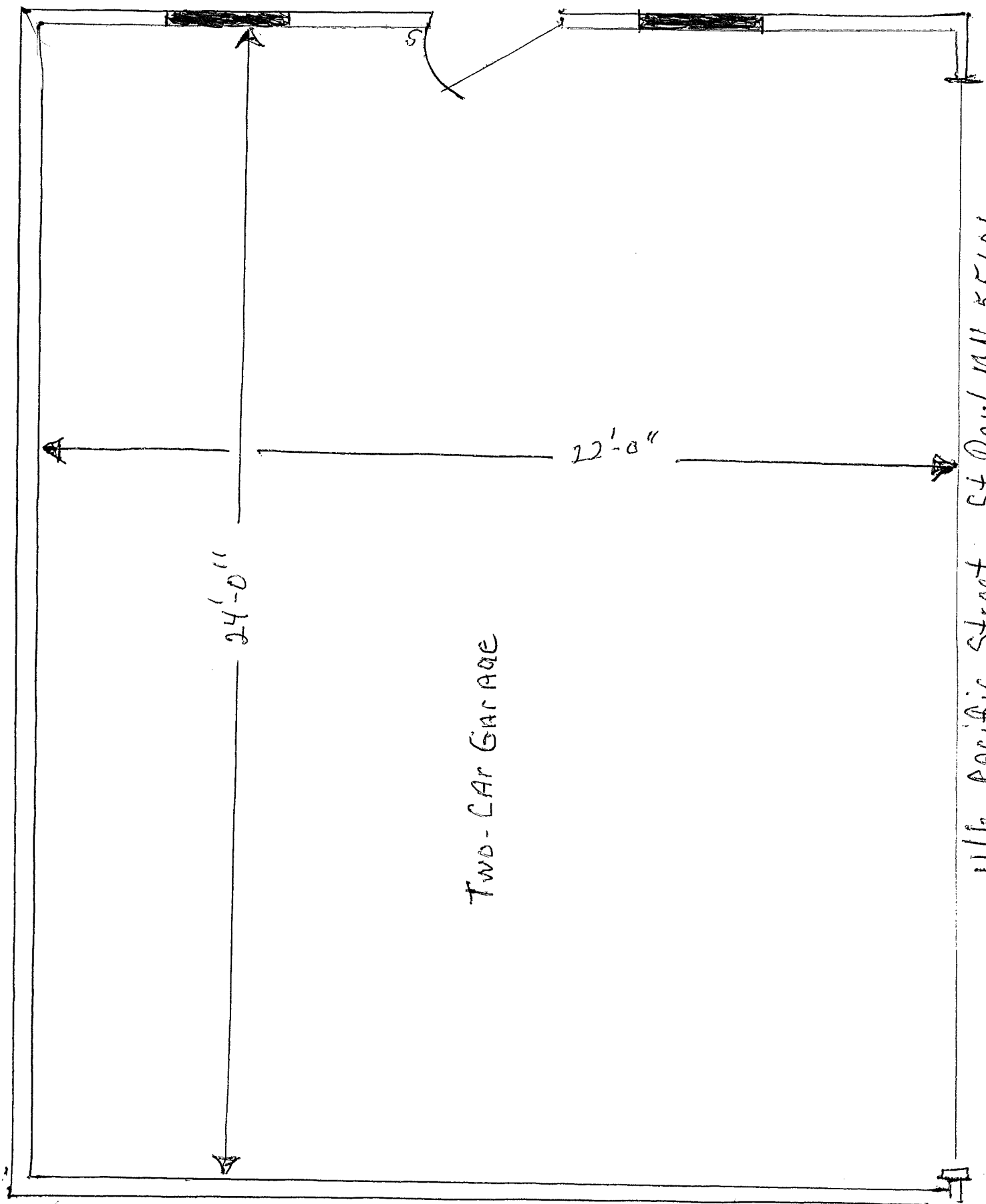
BACK





Second Floor Plan

1116 Pacific St. St. Paul, MN 55106



TWO-CAR GARAGE

1116 PACIFIC STREET ST. PAUL, MN. 55106

94 East

Pacific Street

Side Walk



Water drain

Frank Street

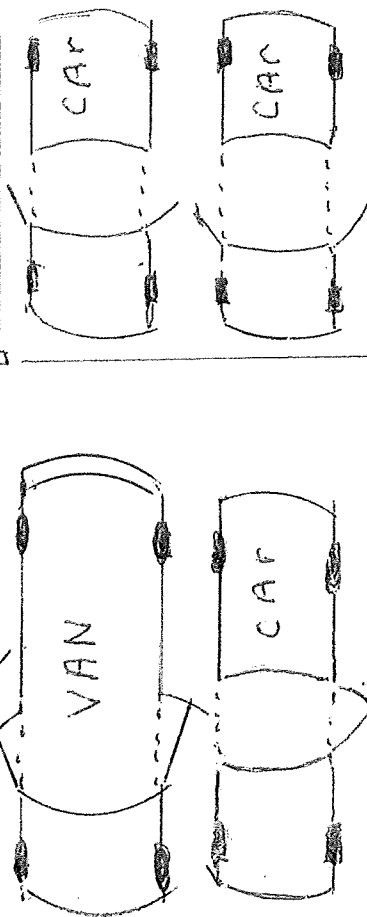
Water drain

Yard

SIDEWALK

MFM
House
1116 Pacific St.
St. Paul MN. 55106

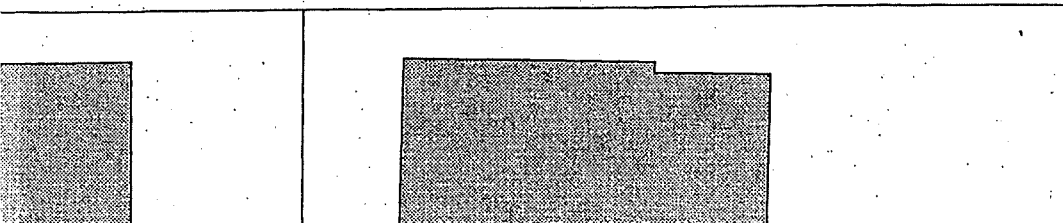
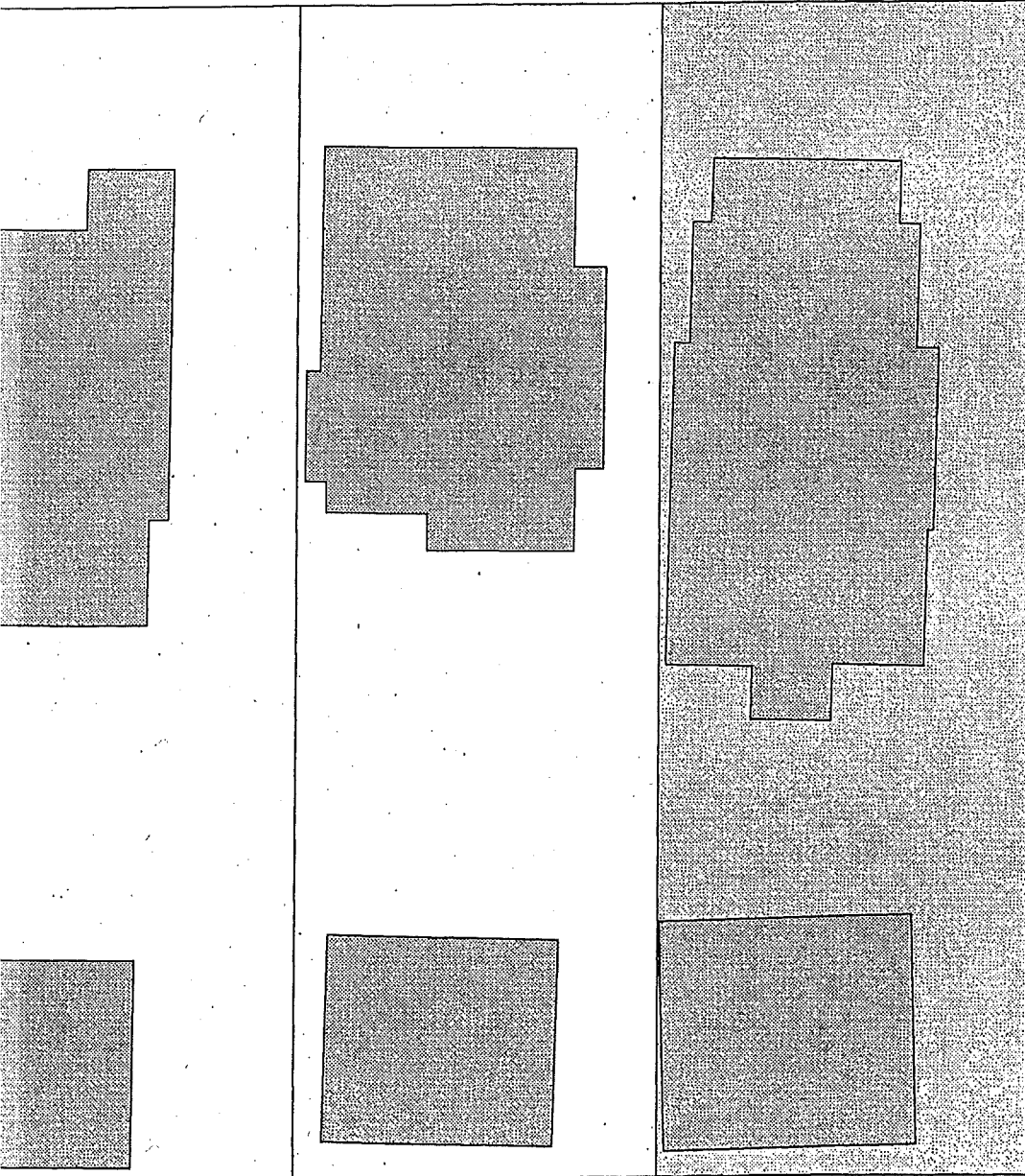
Garage



Aprox
20 scale

40 ft

128 ft





Dayton's Bluff

District 4 Community Council

798 E. 7th Street, Saint Paul, MN 55106 - Phone 651-772-2075 - Fax 651-774-3510

Visit our web site at www.daytonsbluff.org

February 26, 2010

Emily Goodman
Planning & Economic Development
25 West 4th Street
Saint Paul MN 55102

Dear Emily Goodman,

Our board of directors at our February 22, 2010 board meeting passed a motion not to support approval of a conditional use permit for 1116 Pacific.

Motion: That we send a letter to the City stating that the Council does not support approval of a conditional use permit for transitional housing at 1116 Pacific.

Made by Jacob, seconded by John, passed with 8 for, 3 against, and 1 abstaining.

Chris spoke in favor of the motion not to support and noted that the proposal can not mitigate Sec. 61.501. Conditional use permit, general standards both (c) and (d).

Sec. 61.501. Conditional use permit, general standards.

(c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.

(d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

It was also mentioned that the applicants had no previous experience managing similar properties. Our board asked to see written policies and procedures, which were not available. The residents living near the property spoke out against approval of the permit.

For more information please call me at 651-772-2075.

Thank you.

Sincerely

Karin DuPaul
Community Organizer

#####Creating a sense of place that makes sense#####

Print this page in a more readable format: Click **Print** next to the upper-right corner of the map.







View of 1116 Pacific Street facing southwest from the intersection of Pacific and Frank Streets.

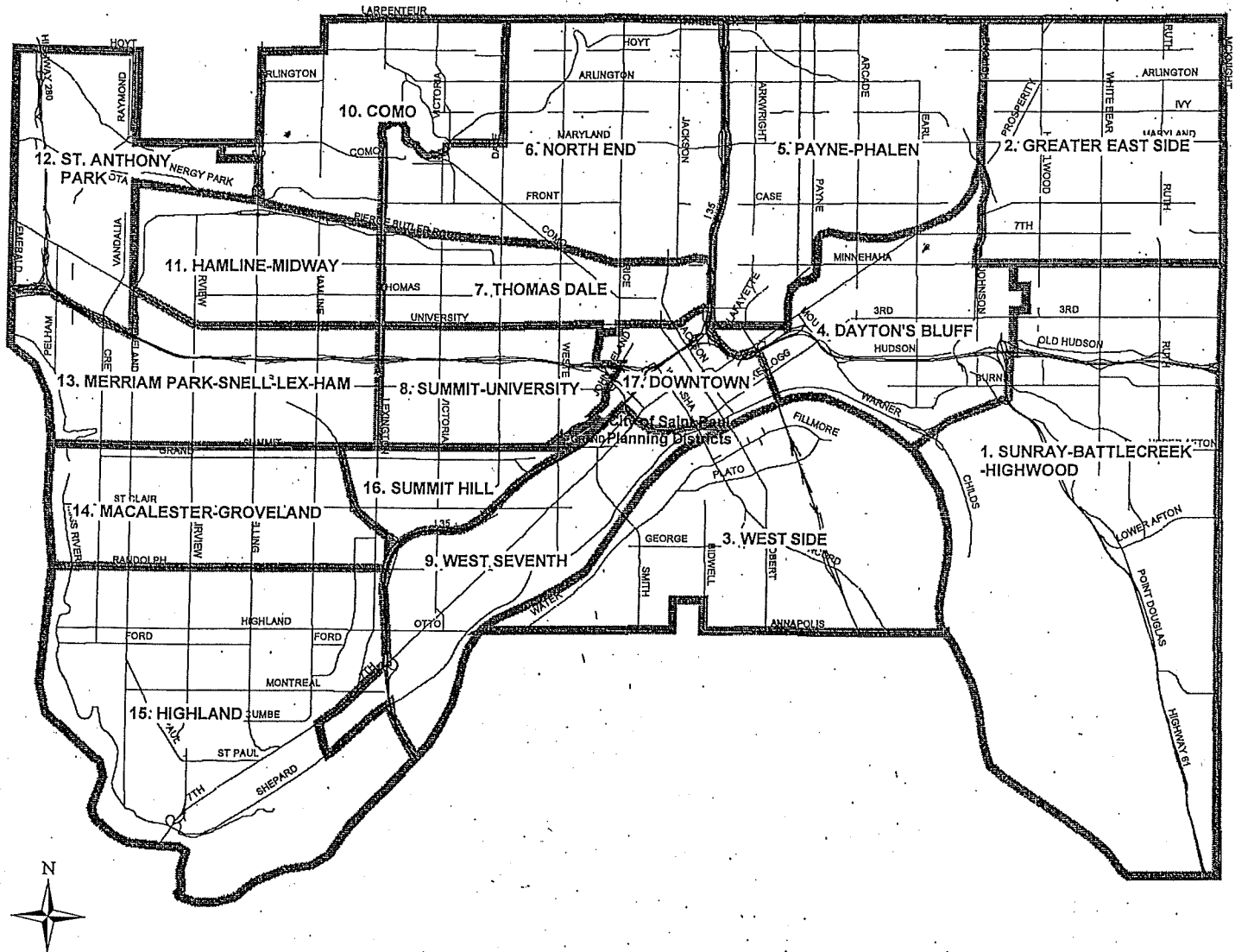


View of 1116 Pacific Street facing northwest from Frank Street.



View of 1116 Pacific Street facing south from Pacific Street.

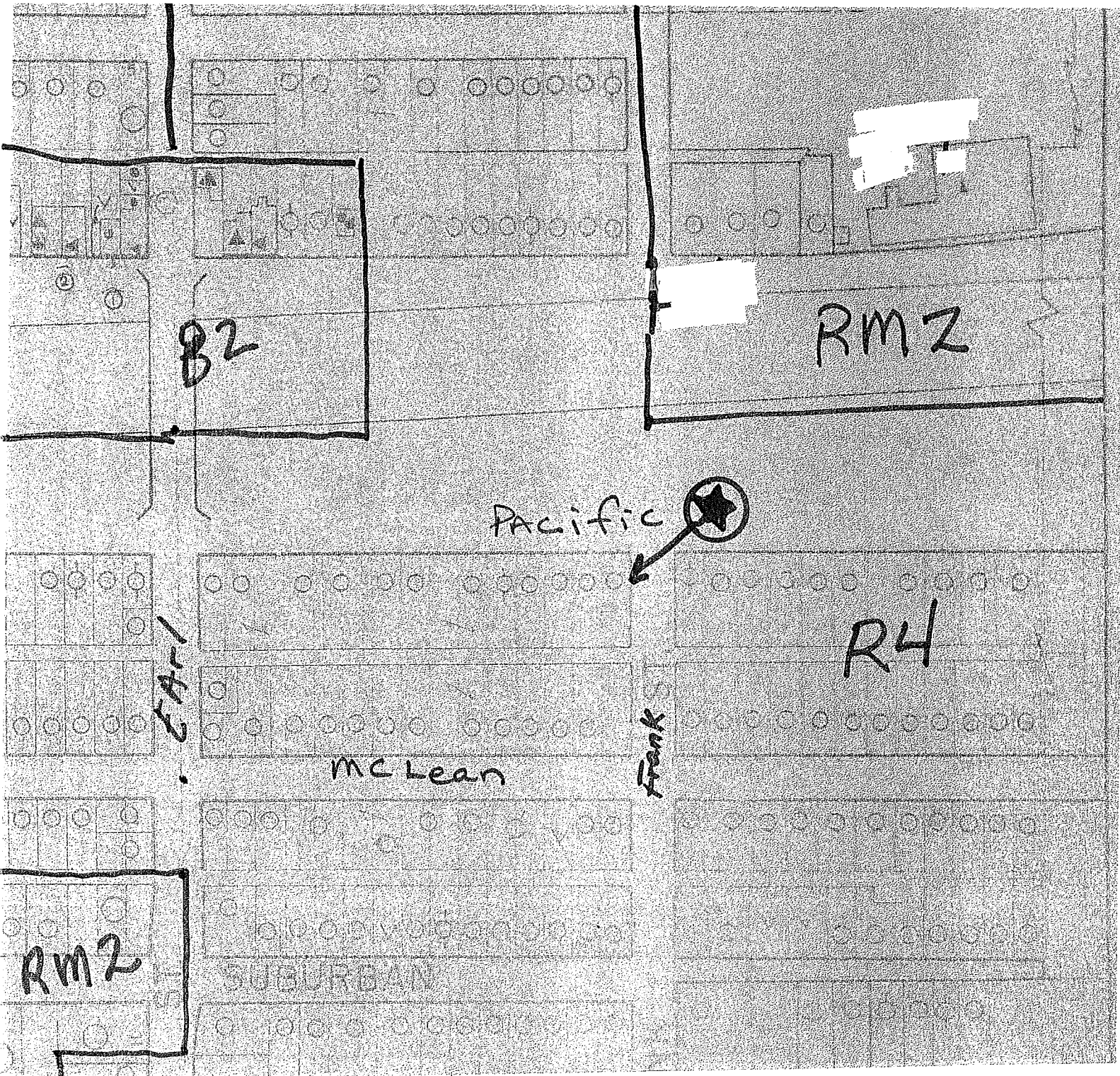
CITIZEN PARTICIPATION DISTRICTS



CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

10-105510



APPLICANT Melvin Miller
 PURPOSE CUP
 FILE # 10-105510 DATE 2-10-10
 PLNG. DIST. 4 MAP # 22

SCALE 1" = 400'



LEGEND

zoning district boundary

subject property

one family

two family

multiple family



commercial

industrial

vacant